

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT

Regular Meeting  
Tuesday, April 16, 2019  
—MINUTES—

**CALL MEETING TO ORDER:**

Chairman Sweeney called the meeting to order at 7:30 pm in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

**OPEN PUBLIC MEETING ANNOUNCEMENT:**

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A.10:4-6. On January 14, 2019 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 pm. Hearing assistance is available upon request. Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the Planning Board Secretary before the public meeting. However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary.

**ROLL CALL:**

Don Sweeney – present	James Weideli – present
Pushpavati Amin – present	Dawn Guttschall, Alternate #1- present
Paul Riga – absent	John Fallone Alternate #2 – absent
Michael Kirsh – absent	Jeff Foose Alternate #3 - present
Evans Humenick – present	Daniel Ahern Alternate #4 – present
Alan Fross – present	

Others present: Board Attorney Steven K. Warner, Board Engineer Tom Forsythe, and Municipal Services Secretary Jacqueline Pino

**MINUTES FOR APPROVAL:**

**January 15, 2019, Reorganization & Regular Meeting-**Motion by Mr. Weideli; Second by Mr. Fross the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Humenick, Mr. Fross, Chairman Sweeney, Mr. Weideli, Ms. Guttschall,  
Mr. Foose

ABSENT: Mr. Riga, Mr. Kirsch, Mr. Fallone

NOT ELIGIBLE: Mr. Ahern

**March 19, 2019, Regular Meeting-**Motion by Mr. Weideli; Second by Mrs. Amin the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Humenick, Mr. Fross, Chairman Sweeney, Mr. Weideli, Ms. Guttschall  
Mr. Fallone

ABSENT: Mr. Riga, Mr. Kirsch, Mr. Fallone

NOT ELIGIBLE: Mr. Foose, Mr. Ahern

**MEMORIALIZING RESOLUTIONS:**

There were no resolutions presented for Board approval

**HEARING AND DELIBERATIONS:**

**HINDU TEMPLE & CULTURAL SOCIETY OF USA, INC.-**1 Balaji Temple Drive

Block 483 Lot 2,3,4,5, & 12.02

#43-08-ZB- Preliminary & Final Site Plan-Subdivision for Proposed Parking & Lot Consolidation

See attached transcription dated April 16, 2019 prepared by: Michael Lombardozzi, CSR, CRR of Veritext Legal Solutions, 290 W Mt. Pleasant Avenue, Livingston, NJ 07039 located in Planning Division office.

The application will be carried to May 7, 2019 at 7:30 pm. No New notice is required.

**MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

**OTHER BOARD BUSINESS:**

**ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 10:12 pm.

Respectfully submitted,  
Jacqueline Pino  
Secretary of Municipal Services

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TOWNSHIP OF BRIDGEWATER  
BOARD OF ADJUSTMENT

In the Matter of: : Transcript  
CASE 43-08-ZB : of  
HINDU TEMPLE & CULTURAL SOCIETY : Proceedings  
1 Balaji Temple Drive :  
Block 493, Lot 2-5 & 12.02 :  
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Tuesday, April 16, 2019  
100 Commons Way  
Bridgewater, New Jersey  
Commencing at 7:50 p.m.

BOARD MEMBERS PRESENT:

DON SWEENEY, Chairman  
PUSHPAVATI AMIN, Board Secretary  
EVANS HUNENICK  
ALAN FROSS  
JAMES WEIDELI  
DAWN GUTTSCHALL, Alternate #1  
JEFFREY FOOSE, Alternate #3  
DANIEL AHEARN, Alternate #4

ALSO PRESENT:

JACQUELINE PINO, Municipal Services Secretary  
THOMAS FORSYTHE, Board Engineer

Transcript Prepared By:  
MICHAEL LONBARDOZZI, CSR, CRR  
mlombardoizzi92@gmail.com

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1 A P P E A R A N C E S :

2 VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C.  
BY: STEVEN K. WARNER, ESQUIRE  
3 Attorney for the Board

4 KENNY, CHASE & COSTA  
BY: CHRISTOPHER K. COSTA, ESQUIRE  
5 Attorneys for the Applicant

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1 CHAIRMAN SWEENEY: All right. We  
2 have no resolutions to memorialize, so we'll dive  
3 right into the Hindu Temple and Cultural Society.  
4 Mr. Costa?  
5 MR. COSTA: Thank you, Mr. Chairman,  
6 members of the board, this is our fourth  
7 appearance before this board. We appreciate  
8 your -- your attention to this application.  
9 This evening, we have two primary  
10 witnesses: Umesh Avadhanl, who is our traffic  
11 engineer, and Barbara Ehlen, who is our planner.  
12 I'm going to do very little by way of  
13 introductions, I think everyone is familiar with  
14 the application, and then we'll move right into  
15 those two witnesses.  
16 We also have our other witnesses who  
17 have previously been heard available, in the  
18 event we have additional questions that we need  
19 to have answered.  
20 Based on prior testimony, I did want  
21 to address a couple of factual issues and  
22 procedural issues.  
23 First off, I just wanted to  
24 review -- see the composition of the board, just  
25 to clarify, it looks like we have eight tonight,

<p style="text-align: center;">5</p> <p>1 and all are eligible to vote. Is that your 2 understanding?</p> <p>3 MR. WARNER: That's correct, that's 4 my understanding. At the last meeting, 5 January -- I'm sorry, at the November 20 hearing, 6 we had two board members who weren't there, who 7 certified --</p> <p>8 MR. FORSYTHE: I have seven.</p> <p>9 MR. WARNER: We have one, two, 10 three, four, five, six, seven, eight. We have 11 eight.</p> <p>12 MR. FORSYTHE: Oh, okay.</p> <p>13 MR. WARNER: We will only have seven 14 to vote, because that's all that can vote, but we 15 have eight qualified to vote this evening.</p> <p>16 The November 20, we had two board 17 members who weren't there, who certified, as of 18 January the 15th, the second hearing date, 19 everyone, all 11 were here and qualified to vote.</p> <p>20 As of March 19th, we had three that 21 were not here. One of those board members, Board 22 Member Riga, is not here again this evening, but 23 Board Members Humenick and Fross have signed the 24 certifications, having listened to the tapes, 25 which brings us with, with Mr. Riga not here,</p>	<p style="text-align: center;">7</p> <p>1 Another item was there were a number 2 of open permits on the record. And my client has 3 gone to the permit office, and those permits are 4 either closed, or the inspections have been done 5 to close them, and all that is necessary is the 6 final procedural closure, except for one, which 7 addresses the lawn irrigation system, which needs 8 to have a performance test done, and then that 9 can be closed. So that is taken care of, or 10 almost taken care of.</p> <p>11 And the final one was debris on the 12 site has also been removed and disposed of. So I 13 just wanted to, kind of, clean up those -- those 14 lingering items, before we start.</p> <p>15 MR. WARNER: Clean up, no pun 16 intended.</p> <p>17 MR. COSTA: Exactly.</p> <p>18 MR. WARNER: The -- and the board 19 chair has the discretion to decide whether the 20 representations of counsel on these three items 21 are sufficient for those purposes.</p> <p>22 CHAIRMAN SWEENEY: Mr. Costa, about 23 lights, I'm the one who raised the issue about 24 the lights. And it wasn't the brightness; it was 25 if fact that they were all on, and they were</p>
<p style="text-align: center;">6</p> <p>1 Mr. Kirsch not here, Mr. Fallone not here, brings 2 us from the full eleven down to eight, one more 3 than needed, as you well know, to vote, seven 4 vote.</p> <p>5 MR. COSTA: Okay.</p> <p>6 MR. WARNER: And there is at least 7 one D variance at issue in the application, so it 8 will be five out of seven for a passage, if we 9 complete this evening.</p> <p>10 MR. COSTA: Right. Okay. Good. 11 Thank you.</p> <p>12 And a couple of, I think, minor 13 matters I just wanted to address, which came up 14 late in the hearing. They were cleanup matters 15 for the site.</p> <p>16 One is the lighting was noted to be 17 too bright at night, and that's been adjusted 18 down to security light levels. I don't know if 19 people who live near the temple have noticed 20 that, but it has been adjusted down to that 21 level. I am stipulating to that on behalf of the 22 applicant. I can bring the applicant up and we 23 can show photos, if necessary, but that was one 24 item that we wanted -- that the board asked to 25 have addressed.</p>	<p style="text-align: center;">8</p> <p>1 supposed to be all turned off, except for 12, I 2 believe is the number, security lights, at 10:30. 3 And the statement that was made, I believe at the 4 last meeting, was that that would be rectified. 5 Has it?</p> <p>6 MR. COSTA: It has been rectified, 7 yes.</p> <p>8 CHAIRMAN SWEENEY: So all but the 9 specified number of security lights go off at 10 10:30?</p> <p>11 MR. COSTA: Correct.</p> <p>12 CHAIRMAN SWEENEY: Thank you.</p> <p>13 MR. COSTA: With that, I'd like to 14 introduce our traffic engineer.</p> <p>15 MR. WARNER: And I don't recall if, 16 as part of the initial mass swearing, you were 17 sworn in already or not, but the if there's no 18 harm, no foul, we'll swear you in again, that's 19 okay.</p> <p>20 MR. AVADHANI: I was sworn in 2007, 21 for the driveway.</p> <p>22 MR. WARNER: Okay.</p> <p>23 U M E S H A V A D H A N I, having 24 been duly sworn, testified as follows: 25 MR. WARNER: Name and address,</p>

<p style="text-align: right;">9</p> <p>1 business address is fine for the record.</p> <p>2 THE SECRETARY: Please use the</p> <p>3 microphone.</p> <p>4 MR. AVADHANI: You Umesh Avadhani,</p> <p>5 BA Engineering. I'm the traffic engineer. I</p> <p>6 have a professional engineer's license from the</p> <p>7 states of New Jersey, New York, and Connecticut.</p> <p>8 As I mentioned --</p> <p>9 MR. WARNER: I'm sorry, did you give</p> <p>10 your -- the business address?</p> <p>11 MR. AVADHANI: I can give my card,</p> <p>12 139 Fulton Street, New York, New York, 100038.</p> <p>13 CHAIRMAN SWEENEY: Would you spell</p> <p>14 your last name again?</p> <p>15 MR. AVADHANI: A-V-A-D-H-A-N-I.</p> <p>16 CHAIRMAN SWEENEY: Thank you.</p> <p>17 Anyone on the board have any</p> <p>18 questions about qualifications or --</p> <p>19 MR. COSTA: I would like to go</p> <p>20 through just a few, to qualify him.</p> <p>21 CHAIRMAN SWEENEY: Fine.</p> <p>22 DIRECT EXAMINATION</p> <p>23 BY MR. COSTA:</p> <p>24 Q. If you could give us the benefit of</p> <p>25 your educational background, your licensure, and</p>	<p style="text-align: right;">11</p> <p>1 MR. WARNER: In traffic engineering?</p> <p>2 MR. AVADHANI: In traffic</p> <p>3 engineering.</p> <p>4 MR. WARNER: Have you ever been</p> <p>5 accepted by any other boards, in addition to this</p> <p>6 board in 2007, as a traffic engineering expert?</p> <p>7 MR. AVADHANI: No.</p> <p>8 MR. WARNER: Okay. But you got this</p> <p>9 board once before. Correct?</p> <p>10 MR. AVADHANI: That's correct.</p> <p>11 MR. WARNER: Sorry to jump in.</p> <p>12 MR. COSTA: No, that's good. I</p> <p>13 appreciate it.</p> <p>14 We'd like to present Umesh as an</p> <p>15 expert in traffic engineering.</p> <p>16 MR. WARNER: All licenses,</p> <p>17 particularly the New Jersey license, remain in</p> <p>18 good standing this evening as a civil engineer</p> <p>19 and traffic engineer?</p> <p>20 MR. AVADHANI: That's correct --</p> <p>21 well, I'm sorry, civil engineer.</p> <p>22 MR. WARNER: Civil engineer;</p> <p>23 particular expertise in traffic. Correct?</p> <p>24 MR. AVADHANI: Correct.</p> <p>25 CHAIRMAN SWEENEY: Anyone on the</p>
<p style="text-align: right;">10</p> <p>1 also boards that you have appeared before.</p> <p>2 A. I have a master's in civil</p> <p>3 engineering, transportation engineering, from</p> <p>4 Virginia Tech, and I was -- as I mentioned</p> <p>5 earlier, I have a PE, professional engineering,</p> <p>6 license from the states of New Jersey, New York,</p> <p>7 and Connecticut.</p> <p>8 Q. And have you -- you've appeared</p> <p>9 before this board in 2007 --</p> <p>10 A. '07 or '06, I think, for the</p> <p>11 driveway, the proposed driveway that's in place</p> <p>12 now for the traffic signal, and for the</p> <p>13 installation of the driveway itself.</p> <p>14 Q. And you've testified before other</p> <p>15 land use boards?</p> <p>16 A. Not recently, no.</p> <p>17 MR. WARNER: Were you accepted as an</p> <p>18 expert in the field of civil engineering,</p> <p>19 specifically with expertise in traffic</p> <p>20 engineering, in 2007, by this board?</p> <p>21 MR. AVADHANI: I didn't understand</p> <p>22 your question.</p> <p>23 MR. WARNER: Were you accepted as an</p> <p>24 expert by this board in 2007.</p> <p>25 MR. AVADHANI: Yes.</p>	<p style="text-align: right;">12</p> <p>1 board have any questions about his qualifications</p> <p>2 or background?</p> <p>3 Hearing none, please proceed.</p> <p>4 MR. AVADHANI: My allergies are</p> <p>5 acting up, so I may cough a little bit.</p> <p>6 A. Okay. Where do we start?</p> <p>7 This driveway study was prepared to</p> <p>8 determine the impact of the parking lot</p> <p>9 expansion. As has been mentioned in the past,</p> <p>10 this traffic -- the parking expansion, we need</p> <p>11 the additional spaces, so we want to be</p> <p>12 independent, and not dependent on off-site</p> <p>13 parking.</p> <p>14 So, to that end, we performed the</p> <p>15 counts in December -- on December 18th, on</p> <p>16 Tuesday, 2018, which was a typical festival</p> <p>17 event day, and also on December 22nd, on a</p> <p>18 Saturday, 2018, on a typical weekend at the</p> <p>19 temple. Four peak hours were analyzed, there</p> <p>20 were weekday and Saturday, for the temple and</p> <p>21 for the street peak hours.</p> <p>22 MR. WARNER: I'm sorry, are you</p> <p>23 referring to a particular traffic report? Maybe</p> <p>24 we can get that identified for the record.</p> <p>25 MR. COSTA: Yes.</p>

<p style="text-align: right;">13</p> <p>1 MR. AVADHANI: Oh, yes, sorry.</p> <p>2 MR. WARNER: Mr. Costa?</p> <p>3 MR. COSTA: The report is the March</p> <p>4 6, 2019 report, which has been submitted to the</p> <p>5 board. And we can mark it, if -- as an exhibit,</p> <p>6 if you --</p> <p>7 MR. WARNER: We're more than -- well</p> <p>8 more than 10 days beyond, so I think we're fine</p> <p>9 there, as long as the board members have it. And</p> <p>10 we have it identified as March 6th, you said?</p> <p>11 MR. COSTA: Yes, it was submitted</p> <p>12 prior, in anticipation of the last meeting.</p> <p>13 MR. WARNER: And it -- I'm sorry, is</p> <p>14 that the Temple Traffic and Parking Management</p> <p>15 Plan?</p> <p>16 MR. COSTA: No, that is the Traffic</p> <p>17 Impact Assessment For Parking Lot Expansion.</p> <p>18 MR. AVADHANI: This one -- that's</p> <p>19 the one, correct.</p> <p>20 MR. WARNER: Thank you.</p> <p>21 MR. AVADHANI: It's dated March 6,</p> <p>22 2019.</p> <p>23 MR. WARNER: Would you happen to</p> <p>24 have an extra -- oh, nope. I take that back. My</p> <p>25 apologies. March 6th. We're good. Thank you.</p>	<p style="text-align: right;">15</p> <p>1 available eventually -- I don't know the date</p> <p>2 yet; I'm presuming, by 2020, it will not be</p> <p>3 available.</p> <p>4 So, based on that, we performed the</p> <p>5 capacity analysis, the traffic capacity analysis</p> <p>6 for the signalized intersection at the Brown</p> <p>7 Road/Route 202/206 and the temple drive.</p> <p>8 So as you can see on the tables, we</p> <p>9 summarized the -- just a second -- on Table 1,</p> <p>10 shows the existing capacity analysis, and --</p> <p>11 Q. And can you -- and Table 1 is on --</p> <p>12 A. Page 12.</p> <p>13 Q. Page 12. Okay. Thank you.</p> <p>14 A. Page 12. Most of the -- all the</p> <p>15 movements are for the four peak hours, they</p> <p>16 operate at an acceptable level of service D or</p> <p>17 better.</p> <p>18 Then, the next table -- that's</p> <p>19 Table 2 on page 13 -- shows the 2020 no-build</p> <p>20 and build capacity analysis summary for the</p> <p>21 street peak hour. The street peak hour was</p> <p>22 analyzed for 2020, for the p.m. and for the --</p> <p>23 and for a typical Saturday on the p.m. peak</p> <p>24 hour.</p> <p>25 Q. And how did you come up with</p>
<p style="text-align: right;">14</p> <p>1 MR. AVADHANI: Continue?</p> <p>2 CHAIRMAN SWEENEY: Go ahead.</p> <p>3 A. Okay. The parking lot expansion is</p> <p>4 projected to be completed and in operation in</p> <p>5 2020, that's my understanding. And the -- to</p> <p>6 that end, to the -- the traffic volumes, the</p> <p>7 peak-hour traffic volumes were generated based</p> <p>8 on the existing traffic volumes, as I mentioned,</p> <p>9 for the Tuesday and for the Saturday that we</p> <p>10 counted.</p> <p>11 The no-build and the build</p> <p>12 peak-hour volumes were generated based on the</p> <p>13 annual background traffic growth of 1.5 percent.</p> <p>14 NJDOT typically specifies 1 percent for this</p> <p>15 township, so we used a more conservative number</p> <p>16 of 1.5 percent.</p> <p>17 The traffic report summarizes the</p> <p>18 four peak-hour results, and based on the</p> <p>19 expansion of 1,047 spaces. Currently, there are</p> <p>20 about 491 or 97 spaces there on site.</p> <p>21 So during an event day, the</p> <p>22 Advanced Reality parking lot is used as part of</p> <p>23 the -- currently, without the expansion. So, as</p> <p>24 I said, we want to be independent, we don't want</p> <p>25 to go to off-site parking, which may not be</p>	<p style="text-align: right;">16</p> <p>1 anticipated 2020 traffic volumes?</p> <p>2 A. I said -- we used a factor -- a</p> <p>3 background growth factor of 1.5 percent per</p> <p>4 year. So 2018, we multiplied it with -- I have</p> <p>5 it here somewhere -- 1.03, so we multiplied that</p> <p>6 with 1.03, the existing 2018 volumes, to get</p> <p>7 2020 traffic volumes, for the p.m. and for the</p> <p>8 Saturday.</p> <p>9 Q. So you assumed a growth in the</p> <p>10 traffic going to 2020?</p> <p>11 A. That's correct. That's how the</p> <p>12 typical traffic study is done, the traffic</p> <p>13 impact study is done based on typical growth in</p> <p>14 the area.</p> <p>15 Q. Okay.</p> <p>16 A. Okay. Where was I?</p> <p>17 Table 2, that's page 13, shows the</p> <p>18 2020 no-build and the build capacity analysis</p> <p>19 compared to the street peak hour and for the</p> <p>20 Saturday street peak hour -- for the p.m. street</p> <p>21 peak hour and Saturday street peak hour.</p> <p>22 As you can see, the northbound left</p> <p>23 turn -- I don't know if everybody has this copy,</p> <p>24 I'm assuming -- the northbound left turn --</p> <p>25 MR. WARNER: It's designated N B-L.</p>

<p style="text-align: right;">17</p> <p>1 Is that correct?</p> <p>2 MR. AVADHANI: That's correct.</p> <p>3 Sorry, yes.</p> <p>4 MR. WARNER: That's okay, just for</p> <p>5 everybody's benefit.</p> <p>6 MR. AVADHANI: Sorry, yes.</p> <p>7 <b>A. The EB-LT is left-hand through.</b></p> <p>8 <b>Eastbound-R is eastbound right turns.</b></p> <p>9 <b>Westbound-LTR is left through and right. And</b></p> <p>10 <b>then, northbound-L is northbound left, and</b></p> <p>11 <b>northbound-TR is northbound through and right.</b></p> <p>12 <b>SB is -- SB-L is southbound left turn, and so</b></p> <p>13 <b>on.</b></p> <p>14 <b>So during the 20 -- I thought you</b></p> <p>15 <b>were going to say something.</b></p> <p>16 <b>During the 2020 weekday street peak</b></p> <p>17 <b>hour, that's the p.m. peak hour, the level of</b></p> <p>18 <b>service for the northbound left turn goes from C</b></p> <p>19 <b>to F.</b></p> <p>20 <b>NJDOT has a -- has the criteria --</b></p> <p>21 <b>I forgot the section, they have a section</b></p> <p>22 <b>somewhere, which we used in 2007 as well, but</b></p> <p>23 <b>now, of course, we use the updated one, the</b></p> <p>24 <b>2018 -- I think the 2018, I forgot the actual</b></p> <p>25 <b>year, but I think it's the latest one that we</b></p>	<p style="text-align: right;">19</p> <p>1 <b>traffic police at the intersection, and that is</b></p> <p>2 <b>mentioned in the traffic management plan, that</b></p> <p>3 <b>this one that was submitted, when was it --</b></p> <p>4 MR. COSTA: Ten days ago, before the</p> <p>5 hearing.</p> <p>6 <b>A. Ten days ago. So all the detail</b></p> <p>7 <b>for the traffic management plan is in there.</b></p> <p>8 <b>So what I'm getting at is that the</b></p> <p>9 <b>mitigation, although I have said in the report</b></p> <p>10 <b>that you have to adjust the signal timing, it's</b></p> <p>11 <b>not going to happen at the controller out there,</b></p> <p>12 <b>because it's -- it's not program knowledge and</b></p> <p>13 <b>practical to do it for four, five hours -- I</b></p> <p>14 <b>mean, four, five days in a year.</b></p> <p>15 <b>Typically, if -- what I have</b></p> <p>16 <b>learned in the past, at Newark Airport, at JFK</b></p> <p>17 <b>Airport and everywhere, and New York City DOT</b></p> <p>18 <b>projects, is if we adjust the signal timing, we</b></p> <p>19 <b>physically do it, because this happens every</b></p> <p>20 <b>day. If it happens every day, we do it, but</b></p> <p>21 <b>this is happening only, like, four or five times</b></p> <p>22 <b>a year, and only for, like, two or three peak</b></p> <p>23 <b>hours -- peak period during the p.m., during a</b></p> <p>24 <b>festival day, or during on a Saturday.</b></p> <p>25 <b>Q. So just to clarify, when you talk</b></p>
<p style="text-align: right;">18</p> <p>1 <b>use for the NJDOT criteria on delay and for</b></p> <p>2 <b>level of service.</b></p> <p>3 <b>So, based on that, we mitigated</b></p> <p>4 <b>that northbound left turn, and at the same time,</b></p> <p>5 <b>when we mitigated it, we got to see that the</b></p> <p>6 <b>other movements don't suffer, because if the</b></p> <p>7 <b>other movements suffer, then, again, we have to</b></p> <p>8 <b>apply the NJDOT criteria to that.</b></p> <p>9 <b>So the mitigation that we</b></p> <p>10 <b>recommended was to provide a leading green phase</b></p> <p>11 <b>for all the northbound movements and the</b></p> <p>12 <b>eastbound right turns with a green time of 9</b></p> <p>13 <b>seconds. It's shown in the table, Table 2 of</b></p> <p>14 <b>page 13.</b></p> <p>15 <b>And then, at the same time, reduce</b></p> <p>16 <b>the northbound/southbound green time from 60</b></p> <p>17 <b>seconds to 54 seconds, and reduce the</b></p> <p>18 <b>eastbound/westbound green time from 18 seconds</b></p> <p>19 <b>to 15 seconds.</b></p> <p>20 <b>However, I want to mention that</b></p> <p>21 <b>this signal timing is not going to be physically</b></p> <p>22 <b>adjusted in the controller, because this</b></p> <p>23 <b>happens -- this situation happens only, like,</b></p> <p>24 <b>what did we say, five times -- four or five</b></p> <p>25 <b>times a year. So this would be achieved by the</b></p>	<p style="text-align: right;">20</p> <p>1 about the timing where there is a need to adjust</p> <p>2 the traffic signal timing, you're talking about</p> <p>3 days when there are -- there's a heavier volume</p> <p>4 of traffic coming into the temple for a</p> <p>5 festival, and basically rush hour happening at</p> <p>6 the same time, when your volume is coming in.</p> <p>7 Is that what you're referring to?</p> <p>8 <b>A. That's what -- the p.m. street peak</b></p> <p>9 <b>hour is based on the traffic volumes coming from</b></p> <p>10 <b>the temple and going to the temple, and the</b></p> <p>11 <b>street peak hour.</b></p> <p>12 <b>Q. Okay. So when those two events</b></p> <p>13 <b>conflict -- which rush hour happens every day,</b></p> <p>14 <b>you know, every weekday of the week, but the</b></p> <p>15 <b>temple is only having their heavier volume</b></p> <p>16 <b>festivals -- it's actually more like,</b></p> <p>17 <b>probably -- it's more than five times a year,</b></p> <p>18 <b>because as we're -- we'll go through that with</b></p> <p>19 <b>the traffic manual, but the few times a year</b></p> <p>20 <b>they have that is when we would need the signal</b></p> <p>21 <b>adjusted. Correct?</b></p> <p>22 <b>A. Signal adjusted, but it's not going</b></p> <p>23 <b>to happen physically.</b></p> <p>24 <b>Q. And how will the adjustment of the</b></p> <p>25 <b>signal take place?</b></p>

<p style="text-align: center;">21</p> <p>1       <b>A. The traffic cops will be there, as</b>  2 <b>per this traffic management plan. The traffic</b>  3 <b>cops -- how many did we say? I think about</b>  4 <b>two -- two police officers will be stationed at</b>  5 <b>the intersection on festival days, so they will</b>  6 <b>manage the traffic at that intersection. I</b>  7 <b>think that's what is happening now as well.</b>  8 <b>Currently, that's happening, but, of course, all</b>  9 <b>of the traffic is not entering the -- entering</b>  10 <b>the temple, they're going -- some of them are</b>  11 <b>going right past here as well.</b></p> <p>12       <b>Q. So the traffic police will be</b>  13 <b>adjusting the wait times at the light to address</b>  14 <b>the volume coming in and out of the temple,</b>  15 <b>versus the volume going through rush hour. Is</b>  16 <b>that correct?</b></p> <p>17       <b>A. That's correct.</b>  18       CHAIRMAN SWEENEY: I've got a couple  19 questions.  20       MR. AVADHANI: Yeah, sure.  21       CHAIRMAN SWEENEY: First of all, I'm  22 trying to understand a couple things, one of  23 which is the analysis you've performed -- and I  24 think you said you -- you took into account -- or  25 took traffic counts at one of the special events?</p>	<p style="text-align: center;">23</p> <p>1 These four dates referenced above will require  2 police traffic assistance, which to me says these  3 are going to be busy days. Right?</p> <p>4       MR. AVADHANI: That's correct.  5       CHAIRMAN SWEENEY: That's not one of  6 the days, including January 8th. So I'm trying  7 to figure out if you were actually there on one  8 of the typically heavy days that the temple has  9 during the year.</p> <p>10       MR. AVADHANI: Okay. Let me address  11 that in two ways.  12       One, it says in there, if you look  13 under the -- there's a statement that the other  14 holidays and festivals may require police  15 assistance, depending on what day of the week  16 they occur. So this -- if it occurs on a  17 weekday, we will need police there as well. So  18 this highlighting is slightly misleading,  19 quote/unquote, but you may need -- you will need  20 police on those days as well, if it happens --</p> <p>21       COMMISSIONER WEIDELI: I have a  22 question. What Mr. Sweeney's saying now, if  23 you're going January 1st -- and I'm reading two  24 pages before that -- you have 11 buses that you  25 need additional, and you have 12 -- 18 officers?</p>
<p style="text-align: center;">22</p> <p>1       MR. AVADHANI: That's correct.  2       CHAIRMAN SWEENEY: Which special  3 event and what day was it?  4       MR. AVADHANI: It was on December  5 18, 2018, and that is the -- I'm looking at  6 Schedule A now?  7       CHAIRMAN SWEENEY: I'm looking at  8 that, yes.  9       MR. WARNER: Yes, Schedule A, that's  10 January 8, because the Hindu calendar, the  11 festival dates keep changing.  12       CHAIRMAN SWEENEY: So it corresponds  13 to January 8th?  14       MR. AVADHANI: That's correct.  15       CHAIRMAN SWEENEY: And that doesn't  16 appear to be one of the major holidays. It  17 doesn't say it requires police/traffic  18 assistance. Is that correct?  19       MR. AVADHANI: No, it requires  20 traffic assistance, because we cite it in the  21 traffic management plan. If it happens during  22 the peak weekday -- where is it here --  23       CHAIRMAN SWEENEY: Hang on a second.  24 You've got a number of dates highlighted, and  25 also double asterisks. The double asterisk says,</p>	<p style="text-align: center;">24</p> <p>1       CHAIRMAN SWEENEY: Yeah, that's the  2 double asterisk date. I don't get it.  3       COMMISSIONER WEIDELI: I'm totally  4 confused.  5       CHAIRMAN SWEENEY: I'm sorry, answer  6 Mr. Weideli's question.  7       MR. AVADHANI: Yes.  8       COMMISSIONER WEIDELI: So January  9 1st isn't even highlighted, and it's saying here,  10 two pages earlier, it's the highest capacity day  11 of the year, you have 11 extra buses, six  12 uniformed police officers, and 12 of your own.  13 That's 18.  14       MR. AVADHANI: Yes, but the -- this  15 is off-site parking. On January 1st, there will  16 not be any on-site parking.  17       MR. COSTA: So, if I could --  18       COMMISSIONER WEIDELI: But your  19 highlights 1-4 are saying these are where you  20 need police assistance.  21       CHAIRMAN SWEENEY: Let me see if I  22 can shed some light on this, or at least get you  23 to shed some light on this.  24       MR. AVADHANI: Sure.  25       CHAIRMAN SWEENEY: I'm trying to</p>



<p style="text-align: right;">25</p> <p>1 figure out, if your observation on January 8th is  2 typical of a very -- one of the very heavy dates  3 experienced by the temple -- and according to the  4 table on Schedule A, it would appear that it is  5 not, since it says -- it doesn't have that double  6 asterisk note, which requires police assistance.  7 MR. AVADHANI: But if you -- if it  8 occurs on a holiday, may require -- if it occurs  9 on a weekday, it depends --  10 MR. COSTA: So the answer --  11 MR. WARNER: Can I ask a question of  12 counsel?  13 MR. COSTA: Yeah.  14 MR. WARNER: And, Counsel, maybe you  15 can, by way of proffer, help clarify for your  16 client, and for the board, and all the members of  17 the public -- am I correct in my assumption as  18 follows: January 1st is one of, if not the  19 busiest day from your perspective. Correct?  20 MR. COSTA: It is the busiest day,  21 right.  22 MR. WARNER: The March -- for 2019,  23 on Schedule A, March 4th, April 13th, September  24 2nd, and October 27th are the four next busiest  25 days, and they're busy regardless of whether</p>	<p style="text-align: right;">27</p> <p>1 opposed to weekends?  2 MR. COSTA: Correct.  3 MR. WARNER: Okay. And so, is it  4 fair for this board to assume that there's the  5 potential of one, two, three -- 13 -- excuse me,  6 I'm not a mathematician -- 13 potential days per  7 year that could be high-traffic holidays --  8 albeit, I suspect, mathematically, for those who  9 are much more inclined than I, that at least one  10 or two of those days a year are going to fall on  11 a weekend, so maybe it's more like around 11?  12 MR. COSTA: Correct, and several of  13 those days also fall on national holidays, such  14 as Thanksgiving and Christmas, which have  15 different traffic patterns that would not have  16 the intense rush hour. So those would be removed  17 from that category as well.  18 MR. WARNER: So your proffer on  19 behalf of your client, then, that 11 number,  20 approximate, might go down to ten, or nine, or  21 whatever.  22 MR. COSTA: Eight or so, yes.  23 MR. WARNER: And now, if that's the  24 proffer, maybe you want to elicit testimony  25 along -- from one of the representatives -- maybe</p>
<p style="text-align: right;">26</p> <p>1 they're on a weekday -- they fall on a weekday or  2 a weekend. Is that accurate?  3 MR. COSTA: Correct, they --  4 MR. WARNER: This is all from your  5 applicant's perspective?  6 MR. COSTA: That's correct.  7 MR. AVADHANI: That's correct.  8 MR. WARNER: And then, is there a --  9 we'll call it a third category; those are all the  10 holidays listed -- one, two, three, four, five,  11 six, seven --  12 MR. AVADHANI: Twelve.  13 MR. WARNER: Eight -- please -- the  14 eight others that are not double asterisked -- if  15 that's a word -- nor are they January 1st, that's  16 the third category. And is it your proffer, on  17 behalf of your client, that, on those eight  18 holidays, they rise to the level of being major  19 traffic holidays, and requiring police  20 assistance, if and only if those dates fall on a  21 weekday?  22 MR. COSTA: That's correct, if they  23 conflict --  24 MR. WARNER: And is that because of  25 rush-hour traffic occurring on weekdays as</p>	<p style="text-align: right;">28</p> <p>1 even this one -- just to get it on the record  2 under oath.  3 MR. COSTA: Right. I can do that.  4 I would -- I will do that, I guess, with -- I'm  5 trying to determine whether I want to -- why  6 don't I do that now with Rao Chava, and then  7 we'll come back to Umesh, in terms of --  8 MR. WARNER: You heard him, chair.  9 CHAIRMAN SWEENEY: Before we do  10 that, I want to go back to January 8th. That was  11 the day that you were present and took traffic  12 counts that you used as a representative special  13 event day.  14 MR. AVADHANI: That's correct.  15 COMMISSIONER WEIDELI: Were there  16 police officers assisting with traffic on January  17 8th?  18 MR. AVADHANI: On January 8th?  19 MR. COSTA: Let me just clarify  20 something: That holiday, in 2018, fell on  21 December 18th.  22 MR. AVADHANI: On a Tuesday.  23 MR. COSTA: Because the calendar  24 shifts.  25 MR. WARNER: Right, but it was a</p>

<p style="text-align: center;">29</p> <p>1 Tuesday. It was a weekday.</p> <p>2 MR. COSTA: Right, it was a weekday,</p> <p>3 but it wasn't January 8th. I just want you to</p> <p>4 know it wasn't January 8th.</p> <p>5 This is a representation of 2019</p> <p>6 holidays. So I just want to --</p> <p>7 CHAIRMAN SWEENEY: It doesn't matter</p> <p>8 what the exact day was, to tell you the truth.</p> <p>9 MR. COSTA: Yeah, I know. I just</p> <p>10 want to be clear.</p> <p>11 CHAIRMAN SWEENEY: What I want to</p> <p>12 know is, was there -- were there police present</p> <p>13 providing traffic assistance on the day -- the</p> <p>14 special event day you were there --</p> <p>15 MR. AVADHANI: I understood. Yes.</p> <p>16 CHAIRMAN SWEENEY: There were?</p> <p>17 MR. AVADHANI: There were.</p> <p>18 CHAIRMAN SWEENEY: Okay. So they</p> <p>19 were there on a weekday. Is that correct?</p> <p>20 MR. AVADHANI: Correct.</p> <p>21 MR. COSTA: Correct.</p> <p>22 CHAIRMAN SWEENEY: Okay. And how</p> <p>23 would you compare, in terms of traffic volumes</p> <p>24 that day, with New Year's Day.</p> <p>25 MR. AVADHANI: With that day and New</p>	<p style="text-align: center;">31</p> <p>1 MR. CHAVA: That's right.</p> <p>2 MR. COSTA: -- and just go through</p> <p>3 that information in that report.</p> <p>4 So let's start with --</p> <p>5 CHAIRMAN SWEENEY: Mr. Costa, hold</p> <p>6 on. I would prefer to finish up with the traffic</p> <p>7 study before we go to the traffic management</p> <p>8 report, because I think that report is based on</p> <p>9 the traffic study, was it not?</p> <p>10 MR. COSTA: They're based on each</p> <p>11 other, but I'm -- I can do that as well.</p> <p>12 CHAIRMAN SWEENEY: Yeah, I mean,</p> <p>13 we've got Mr. Avadhani here to talk about his</p> <p>14 traffic study. Let's do that first, and then</p> <p>15 let's pick up with the traffic management. Okay?</p> <p>16 MR. COSTA: Okay.</p> <p>17 CHAIRMAN SWEENEY: We've already</p> <p>18 begun Mr. Avadhani on the traffic count analysis;</p> <p>19 please continue.</p> <p>20 MR. AVADHANI: Okay. Where did we</p> <p>21 stop?</p> <p>22 CHAIRMAN SWEENEY: Wait a minute.</p> <p>23 While you're thinking about where you want to</p> <p>24 start, let me ask another question or two.</p> <p>25 I don't quite understand the</p>
<p style="text-align: center;">30</p> <p>1 Year's Day? New Year's Day is higher than on a</p> <p>2 regular festival day.</p> <p>3 CHAIRMAN SWEENEY: How much higher?</p> <p>4 MR. AVADHANI: How much higher? I</p> <p>5 think I would actually expect the temple</p> <p>6 management to address that, because --</p> <p>7 CHAIRMAN SWEENEY: You were going to</p> <p>8 ask Mr. Chava to come up? Maybe he can answer</p> <p>9 your question on this issue as well.</p> <p>10 MR. COSTA: Correct.</p> <p>11 And on New Year's Day, just to set</p> <p>12 the groundwork for that -- the worshippers do not</p> <p>13 come into the temple grounds, they park off site</p> <p>14 and are bused on, which I think we've testified</p> <p>15 to.</p> <p>16 MR. WARNER: And just for the</p> <p>17 record, Mr. Chava, you recognize you remain under</p> <p>18 oath. Correct?</p> <p>19 MR. CHAVA: Yes.</p> <p>20 MR. WARNER: Thank you. Please</p> <p>21 proceed -- well, you may want to wait for a</p> <p>22 question from your counsel.</p> <p>23 MR. COSTA: Mr. Chava, I'm going to</p> <p>24 take you through the report, Temple Traffic and</p> <p>25 Parking Management Plan that we submitted --</p>	<p style="text-align: center;">32</p> <p>1 proposed mitigation measures. What exactly does</p> <p>2 it mean to provide a leading green phase for all</p> <p>3 northbound movements and eastbound Balaji Drive</p> <p>4 right turns, with a green time of -- what does</p> <p>5 that mean?</p> <p>6 MR. AVADHANI: Typically, when</p> <p>7 you're driving an intersection, you see</p> <p>8 northbound and southbound, they go together, or</p> <p>9 eastbound/westbound, they go at the same time.</p> <p>10 CHAIRMAN SWEENEY: Meaning the green</p> <p>11 lights go at the same time.</p> <p>12 MR. AVADHANI: Correct, green lights</p> <p>13 turn on at the same time.</p> <p>14 I don't know if you've seen</p> <p>15 sometimes, there's a sign we put on the traffic</p> <p>16 signal pole saying "Delayed Green." That</p> <p>17 "Delayed Green" means the opposing traffic will</p> <p>18 get the green signal later -- say, for example,</p> <p>19 in our case here, the northbound will go first,</p> <p>20 and then the southbound will go at the same time</p> <p>21 as northbound/southbound together. That's what</p> <p>22 that means.</p> <p>23 CHAIRMAN SWEENEY: Okay. And,</p> <p>24 basically, what you're saying, then, is that the</p> <p>25 police are going to do that, by halting one side</p>

1 of -- let's say the northbound side or the  
2 southbound side, and letting the northbound side  
3 proceed to make their left-hand turn into the  
4 temple. Is that correct?

5 MR. AVADHANI: That's correct -- not  
6 just the left turn, going through and the right  
7 turn as well.

8 CHAIRMAN SWEENEY: Right.

9 Now, and the -- and the mitigation  
10 measures, number 2 and 3, that just refers to the  
11 number -- or the amount of time that a traffic  
12 light will remain green, or, in your case, the  
13 amount of time a police officer's going to be  
14 waving people on, as opposed to stopping them.  
15 Is that correct?

16 MR. AVADHANI: Correct.

17 CHAIRMAN SWEENEY: Okay. Talk to me  
18 a little bit about the 2020 build, the delay in  
19 seconds for the northbound left turn, 145  
20 seconds. This is with the parking garage built.

21 MR. AVADHANI: That's correct.

22 CHAIRMAN SWEENEY: Is that right?

23 MR. AVADHANI: That's correct.

24 CHAIRMAN SWEENEY: How does that --  
25 how does that delay develop, if, in fact, people

1 can approach that intersection and turn right  
2 into the facility?

3 MR. AVADHANI: They turn left into  
4 the facility, correct.

5 CHAIRMAN SWEENEY: Right.

6 MR. AVADHANI: So they will be  
7 waiting there to make that left turn. So that is  
8 145 seconds delay. The traffic will back up on  
9 the left turn lane. So to alleviate that, we're  
10 going to have the traffic cop to let them keep  
11 moving.

12 CHAIRMAN SWEENEY: Okay. So with  
13 the traffic cop allowing the northbound traffic  
14 to turn while he's halting the southbound  
15 traffic, you reduce that delay down to 36  
16 seconds. Correct?

17 MR. AVADHANI: That's correct.

18 CHAIRMAN SWEENEY: And for those 36  
19 seconds, people will be queueing behind whoever's  
20 in first -- first in line to make that left-hand  
21 turn?

22 MR. AVADHANI: That's correct.

23 CHAIRMAN SWEENEY: Okay. People are  
24 going to be driving up -- let's say they're --  
25 let's talk about the northbound traffic. Okay?

1 They're going to be driving up 202/206 at 50  
2 miles an hour, I think might be the speed limit  
3 on that road. Once they make that left-hand turn  
4 into the temple property, and start their way  
5 down to the garage, the parking garage, or  
6 wherever it is they're going --

7 MR. AVADHANI: Wherever, yeah.

8 CHAIRMAN SWEENEY: -- the posted  
9 spotlights within the temple area are what, 5  
10 miles an hour?

11 MR. AVADHANI: Is it 5?

12 CHAIRMAN SWEENEY: Mr. Chava, are  
13 they 5?

14 MR. AVADHANI: I just read that now  
15 maybe a few minutes ago.

16 CHAIRMAN SWEENEY: Maybe.

17 MR. AVADHANI: I think it goes 15  
18 miles per hour. I could be wrong.

19 CHAIRMAN SWEENEY: Did you get the  
20 question?

21 MR. COSTA: Rao, do you know the  
22 speed limits on the temple grounds.

23 MR. CHAVA: Within the temple, it's  
24 about 5 miles.

25 CHAIRMAN SWEENEY: Yeah, that's what

1 I thought, 5 miles an hour.

2 MR. AVADHANI: Okay.

3 CHAIRMAN SWEENEY: Is that going to  
4 create a bottleneck; whereas, you've got cars  
5 piling up, trying to -- coming northbound on  
6 202/206, wanting to make a left-hand turn,  
7 they're approaching that intersection at 50 miles  
8 an hour. Once they make that left-hand turn,  
9 they've got to slow down to 5 miles an hour.

10 MR. AVADHANI: Correct.

11 CHAIRMAN SWEENEY: In my mind, that  
12 creates a situation where you've got people  
13 approaching the intersection at a much greater  
14 speed than they're actually clearing the  
15 intersection after they make the left-hand turn.  
16 Why isn't that going to create a long delay at  
17 the traffic light?

18 MR. AVADHANI: It will not be a long  
19 delay at the traffic light, because there are two  
20 lanes going into the temple driveway. So the  
21 traffic can dissipate on two lanes. They'll keep  
22 moving, they'll keep going forward, and there's a  
23 long -- what should I say -- long access roadway  
24 leading to the parking lot.

25 CHAIRMAN SWEENEY: So you've got two

<p style="text-align: right;">37</p> <p>1 lanes of traffic --</p> <p>2 MR. AVADHANI: So it's more than --</p> <p>3 sorry to interrupt you.</p> <p>4 CHAIRMAN SWEENEY: It's okay.</p> <p>5 MR. AVADHANI: I have that length of</p> <p>6 how much it was. I think it's more than 800 feet</p> <p>7 of two lanes. So you're talking the traffic</p> <p>8 impact can continue to queue up there.</p> <p>9 COMMISSIONER FROSS: But don't you</p> <p>10 have the southbound people on 202 going into the</p> <p>11 first lane?</p> <p>12 MR. AVADHANI: Yes, correct.</p> <p>13 COMMISSIONER FROSS: So you're only</p> <p>14 going to be using one lane going into the temple</p> <p>15 for your left bound.</p> <p>16 MR. AVADHANI: Not necessarily,</p> <p>17 because the police will be directing the traffic.</p> <p>18 He's going to stop the right turns as well from</p> <p>19 the southbound. So only the northbound left</p> <p>20 turns, he's going to allow. The northbound --</p> <p>21 all the movements are northbound will keep going.</p> <p>22 COMMISSIONER FROSS: So the people</p> <p>23 coming south can't turn in there while the</p> <p>24 left-hand -- while the northbound people are</p> <p>25 going in?</p>	<p style="text-align: right;">39</p> <p>1 answer the question, because you're the guy that</p> <p>2 put together this traffic report. Are you aware</p> <p>3 of what happens in front of the temple on 202/206</p> <p>4 on January 1?</p> <p>5 MR. AVADHANI: On January 1, on this</p> <p>6 traffic report, we did not do any analysis for</p> <p>7 January 1st.</p> <p>8 CHAIRMAN SWEENEY: I'll repeat it:</p> <p>9 Are you aware of what happens on January 1 on</p> <p>10 202/206 in front of the temple, what --</p> <p>11 MR. AVADHANI: No --</p> <p>12 CHAIRMAN SWEENEY: -- happens to</p> <p>13 traffic?</p> <p>14 MR. AVADHANI: No, I'm not.</p> <p>15 CHAIRMAN SWEENEY: Okay. I have</p> <p>16 heard from other people that it's a disaster. I</p> <p>17 didn't know myself until this past January 1st,</p> <p>18 when I happened to be traveling north on Route</p> <p>19 202/206. Traffic was backed up to Foothill Road.</p> <p>20 I mean dead stopped. I didn't even know why. I</p> <p>21 didn't know what the problem was. It took me</p> <p>22 half an hour to get from Foothill Road to Brown</p> <p>23 Road. Now, that's when people weren't even</p> <p>24 making a left-hand turn into the temple, they</p> <p>25 were supposed to be going straight, because</p>
<p style="text-align: right;">38</p> <p>1 MR. AVADHANI: That's correct.</p> <p>2 COMMISSIONER FROSS: How are you</p> <p>3 going to stop them? You're going to have a cop</p> <p>4 right there --</p> <p>5 MR. AVADHANI: Yeah.</p> <p>6 COMMISSIONER FROSS: -- saying</p> <p>7 you've got to hold up going southbound, and now</p> <p>8 tying up 202?</p> <p>9 MR. AVADHANI: Not tying up -- well,</p> <p>10 that is what the analysis shows, that the delay</p> <p>11 will not be extensive -- is not predicted to be</p> <p>12 extensive on southbound, I believe, if we follow</p> <p>13 the mitigation measures according to the</p> <p>14 analysis.</p> <p>15 CHAIRMAN SWEENEY: Mr. Avadhani,</p> <p>16 have you seen what happens on New Year's Day in</p> <p>17 front of the temple on 202/206?</p> <p>18 MR. AVADHANI: Not recently; many</p> <p>19 years ago.</p> <p>20 CHAIRMAN SWEENEY: Are you aware of</p> <p>21 what happens in front of the temple on 202/206 on</p> <p>22 January 1st?</p> <p>23 MR. AVADHANI: I think I would defer</p> <p>24 that question to --</p> <p>25 CHAIRMAN SWEENEY: No, I want you to</p>	<p style="text-align: right;">40</p> <p>1 that's one of the days when you utilize off-site</p> <p>2 parking.</p> <p>3 MR. AVADHANI: Correct.</p> <p>4 CHAIRMAN SWEENEY: If traffic backs</p> <p>5 up like that when it's just going right past the</p> <p>6 temple, what's going to happen when they're</p> <p>7 stopping to make a left-hand turn?</p> <p>8 MR. AVADHANI: The demand on New</p> <p>9 Year's Day, compared to the other days, is</p> <p>10 totally different. The demand on the regular</p> <p>11 festival day -- correct me, Rao, if I'm wrong --</p> <p>12 for the parking, is not more than 800 to 900</p> <p>13 spaces. Correct?</p> <p>14 MR. CHAVA: Yes.</p> <p>15 MR. AVADHANI: During January 1st,</p> <p>16 what I was told by the traffic -- by the temple</p> <p>17 management, is that the demand is between 1,300</p> <p>18 to 1,500 parking spaces. So you're talking</p> <p>19 almost double, I would say -- not double,</p> <p>20 maybe --</p> <p>21 MR. COSTA: A little more than one</p> <p>22 and a half.</p> <p>23 MR. AVADHANI: More than one and a</p> <p>24 half, about 60 percent, 70 percent more.</p> <p>25 So, yes, the traffic volume is much</p>

<p style="text-align: right;">41</p> <p>1 higher on January 1st compared to any other 2 festival day.</p> <p>3 CHAIRMAN SWEENEY: Mm-hmm. 4 MR. AVADHANI: So from what I was 5 told by the temple management is that January 6 1st, typically, traffic has been operating with 7 the help of the police and the buses, that it was 8 not that bad. So I'm not saying you haven't 9 experienced it. You experienced it, you're 10 saying that, but I wasn't there.</p> <p>11 CHAIRMAN SWEENEY: I was. 12 MR. AVADHANI: I know. 13 CHAIRMAN SWEENEY: It's that bad. 14 It's that bad. It took half an hour to travel a 15 mile and a half, from Foothill Road to Brown 16 Road.</p> <p>17 MR. AVADHANI: But isn't this 18 January 1st been happening for many years now, or 19 is it just --</p> <p>20 CHAIRMAN SWEENEY: I don't know, it 21 was --</p> <p>22 MR. AVADHANI: Yeah, I know, I'm 23 just saying --</p> <p>24 CHAIRMAN SWEENEY: That time was the 25 only time I've been on that road on January 1st.</p>	<p style="text-align: right;">43</p> <p>1 is allowed to go in and park. So why would there 2 be such a big line near the temple when people 3 are supposed to go someplace else, catch the bus, 4 and then come in? That's what I understand for 5 January 1st, they're supposed to take a bus.</p> <p>6 MR. AVADHANI: January 1st, yes, 7 they will -- all the traffic's supposed to go to 8 Sanofi parking lot, which you are aware.</p> <p>9 COMMISSIONER AMIN: So how do you 10 have traffic near the temple if people are 11 supposed to go and take a bus from off-street 12 parking, Sanofi?</p> <p>13 MR. AVADHANI: Unless the northbound 14 traffic is going past the temple, they go to the 15 Sanofi lot.</p> <p>16 COMMISSIONER AMIN: So you're saying 17 that all the traffic that was built up on that 18 day was all the way from Sanofi parking lot to 19 Foothill Road? Is that how I'm understanding it?</p> <p>20 MR. AVADHANI: No, Brown Road -- you 21 said from 202/206 to Foothill -- or Brown Road. 22 Correct?</p> <p>23 CHAIRMAN SWEENEY: From Brown to 24 Foothill Road, traffic -- I could have walked 25 faster than I drove.</p>
<p style="text-align: right;">42</p> <p>1 I don't know what's happening prior years, I just 2 know it happened on January 1st from this year, 3 and it was an out-and-out disaster. The police 4 were there; it was still a disaster. I'm not 5 saying the police were at fault; I'm not saying 6 the temple was at fault.</p> <p>7 I just want to know, if that's what 8 happens now on January 1st, what's going to 9 happen when that traffic stops, because they want 10 to get into the temple area?</p> <p>11 MR. AVADHANI: As I said --</p> <p>12 CHAIRMAN SWEENEY: It doesn't -- I 13 haven't heard anything that makes me feel you're 14 going to alleviate the problem. If I'm missing 15 something, help me out.</p> <p>16 MR. AVADHANI: Yeah, the missing 17 part is that January -- you cannot compare 18 January 1st with the normal festival days.</p> <p>19 CHAIRMAN SWEENEY: I'm talking about 20 January 1st.</p> <p>21 MR. AVADHANI: January 1st, I 22 would --</p> <p>23 COMMISSIONER AMIN: I'm going to ask 24 a question. Based on your report, you say, on 25 January 1st, you have buses coming in, and no one</p>	<p style="text-align: right;">44</p> <p>1 COMMISSIONER AMIN: I'm a little bit 2 confused, because people are not supposed to go 3 into the temple parking lot; they're supposed to 4 go to the Sanofi parking lot, and take a bus, and 5 then come in to the temple. So that's how I 6 visualized it.</p> <p>7 MR. AVADHANI: That's correct.</p> <p>8 COMMISSIONER AMIN: For the cars 9 that are backed up, from there, up to that point, 10 Brown Road, what exactly were they doing at that 11 point? That's the question I have.</p> <p>12 MR. COSTA: And we don't have an 13 analysis on that day. We don't know when this 14 backup was. We don't know how long it was. You 15 may know that, but we don't --</p> <p>16 COMMISSIONER AMIN: Maybe the backup 17 was some other reason? Maybe there was accident 18 or something else?</p> <p>19 CHAIRMAN SWEENEY: There was no 20 accident.</p> <p>21 MR. COSTA: But we don't have -- I 22 mean, we just don't -- I don't have the specifics 23 on that backup.</p> <p>24 CHAIRMAN SWEENEY: No, and I -- all 25 I can offer you is my firsthand anecdotal</p>

<p style="text-align: right;">45</p> <p>1 experience, but I can't ignore that. You're not  2 suggesting I should, are you?  3 MR. COSTA: No, I just need more  4 details on it to understand where it fits.  5 CHAIRMAN SWEENEY: Well, it would  6 have been helpful if your traffic guy was out  7 there on the biggest traffic day of the year.  8 MR. COSTA: Understood.  9 CHAIRMAN SWEENEY: That's my point.  10 I mean, you talk about January 8th, or December  11 19th, or whatever the day is, but why isn't he  12 there on the biggest traffic day of the year, so  13 he can put together an analysis that's relevant  14 to today's situation, and how we're going to deal  15 with that?  16 COMMISSIONER HUMENICK: Excuse me,  17 let me ask a question -- in fact, let me just  18 give a little bit of insight. There's an old  19 American expression, if you build it, they will  20 come. I will tell you that, if you put another  21 500 on top of what you want, and try to get that  22 put in, you'd even have bigger crowds. It's  23 going to keep bringing crowds.  24 Now, one of the ways -- I make a  25 suggestion, but I don't know the customs and</p>	<p style="text-align: right;">47</p> <p>1 come by bus, and if they do that, it's going to  2 be a lot more comfortable experience for them?  3 CHAIRMAN SWEENEY: Evans, if I can  4 interrupt for a second. To give them credit, I  5 believe the temple does currently provide  6 information about which are their holidays when  7 they utilize off-site parking. So the attendees  8 know they have to go off site in order to park  9 their cars, because they can't get in.  10 COMMISSIONER HUMENICK: And I'm sure  11 that -- and I know -- and I appreciate the  12 insight that I'm getting from everybody, but the  13 thing is that you don't need another -- you don't  14 need another garage. What you need is less cars,  15 is really it.  16 I think that this program that you  17 have, either it might be a mail program that has  18 everything with the agenda that's going to be on  19 it, to notify everybody that, look, please, this  20 is the agenda for the day, this is what we plan,  21 but please don't bring your -- sometimes I -- I  22 don't know -- I don't know what other methods you  23 can use, because you're already using it, but I  24 can tell you that you have to intensify it or  25 something, because there's no solution, with the</p>
<p style="text-align: right;">46</p> <p>1 everything else -- how do you -- do you use the  2 internet or anything to warn people that, we all  3 know that this is a big holiday, we all know that  4 we get all this traffic all the time, maybe using  5 the internet to get to various other -- other  6 mosques of the same faith, get to them and say,  7 look, there's a new policy -- as absurd if it  8 sounds -- if you bring a car, it's going to cost  9 you a dollar to get in. That will stop people  10 from coming in. But if you come by bus, there'll  11 be no charge to come in.  12 If you could get your internet --  13 like, stop the problem where it begins, which is  14 at the point of origin -- it seems to me that, if  15 you publicize this -- and I say this not to be  16 difficult -- if you can -- you can turn your  17 radio on and you find out, well, listen, you  18 better take public transportation into New York,  19 because if you bring a car, you're not going to  20 be able to park. And we do this all these  21 various holidays, and all these various towns  22 where there's parades or there's services -- and  23 I say with this all due respect -- isn't it  24 possible -- or is it possible to start a program  25 where you're identifying that people should only</p>	<p style="text-align: right;">48</p> <p>1 existing roads, the amount of police that can be  2 put to this, and the amount of spaces -- you  3 can't just keep expanding it, because this  4 property that you're on doesn't justify the  5 amount of people and the amount of cars,  6 especially in our society today, where people  7 will go two to a car, instead of six, and pile  8 in.  9 So I'm saying that part of this  10 problem -- what do you think you could do to  11 address the situation? I'm glad that you have  12 such a wonderful turnout, and I think that's  13 marvelous, but you can see why that maybe there's  14 something you can do to cause people not to take  15 all their cars and make it a more uncomfortable  16 experience for themselves.  17 That's all I have to say.  18 CHAIRMAN SWEENEY: Mr. Avadhani, let  19 me go back to one or two -- well, I want to go to  20 one or two other things.  21 MR. AVADHANI: Sure.  22 CHAIRMAN SWEENEY: I'm -- I am a  23 little disappointed in that you've given us a  24 traffic study that doesn't address the real  25 issues, at least on the one day a year when</p>

1 traffic is worse than all the others. Okay?  
 2 What have you done, if anything, to  
 3 try to take into account how these traffic counts  
 4 may change going forward? And I'm not talking  
 5 about the 1 percent of your growth that you've  
 6 built in. I appreciate that, I'm glad you did  
 7 that, but I'm talking about the additional  
 8 buildings that are planned or are in the  
 9 discussion stages for 202/206 that could  
 10 literally add 10s of thousands of people going in  
 11 and out. You know, there's the COE right next  
 12 door to you, Center of Excellence right next door  
 13 to the temple. We don't know what's going to  
 14 happen that, it's up in the air, but, literally,  
 15 they're talking about 400 apartment units, a  
 16 humongous shopping store, a hotel, retail  
 17 outlets. It sounds like a lot of traffic, which  
 18 is why people are concerned.

19 I would suspect that's going to have  
 20 an impact on the traffic in front of the temple  
 21 as well. What about the mosque that -- the land  
 22 is being cleared as we speak just a little ways  
 23 further south on 202/206. I assume that's going  
 24 to bring additional traffic to the --

25 MR. COSTA: I just want to --

1 CHAIRMAN SWEENEY: What about the  
 2 Insmed building, which has just been renovated  
 3 and added to, and has not yet had people move in?

4 I mean, there are a lot of other --

5 MR. AVADHANI: Background traffic --

6 CHAIRMAN SWEENEY: -- developments  
 7 going on within a couple of miles of the temple  
 8 that sound as though they're going to have a big  
 9 impact on future traffic. Have you tried to take  
 10 any of that into account, other than your 1  
 11 percent assumed growth in traffic volumes?

12 MR. COSTA: I just want to make a  
 13 legal statement: That's off-site traffic  
 14 conditions which do not yet exist. My client is  
 15 not responsible for those. We're willing to talk  
 16 to you about them, but they don't exist; they're  
 17 not in place.

18 The Advanced Reality development has  
 19 not been approved, it's been stalled for some  
 20 period of time. So we don't know what's going  
 21 there. When Advanced Reality comes in, they will  
 22 need to do extensive, extensive road  
 23 improvements, there's no question about that.

24 But, right now, our development is  
 25 not making significantly different road demands,

1 and we're actually pulling traffic off the road.  
 2 So we don't think that we can, sort of, take this  
 3 from what about the mosque, what about the next  
 4 thing, what about the next thing. That's an  
 5 unfair thing to put on this small religious  
 6 group.

7 I also think that it's unfair, to  
 8 put upon this religious group, a different  
 9 standard of carpooling than to put on other  
 10 religious groups.

11 So I just want to lay out those two  
 12 legal issues, and just stick to the traffic. I  
 13 don't mind him discussing those issues, but I  
 14 think it's important that there's a lot of things  
 15 being heaped onto my client at this point that I  
 16 think are unfair regarding other Bridgewater  
 17 Township traffic conditions that are well beyond  
 18 the scope of this application.

19 MR. WARNER: Mr. Chairman, if I may  
 20 --

21 CHAIRMAN SWEENEY: Before counsel  
 22 jumps in -- no, I'm going to say something.

23 That's fine. I get it. I  
 24 understand. I just want to make sure that we all  
 25 understand as well that this doesn't take into

1 account any of the additional traffic that these  
 2 other developments may produce. And you don't  
 3 have to do that, but let's understand what it  
 4 accounts for and what it doesn't account for.

5 MR. WARNER: With respect to the  
 6 legal issues, which are important to address  
 7 immediately, the -- number one, nobody is  
 8 applying a different standard for traffic  
 9 purposes, or any purposes, to this use, from any  
 10 other use. There's no -- that is not happening  
 11 at all. There was a suggestion with respect to  
 12 mitigation, and a request to see if there's  
 13 anything that the applicant themselves could do  
 14 to help mitigate a traffic situation. That's  
 15 something that's asked of every applicant, with  
 16 respect to every use that comes before this board  
 17 and every board. No different whatsoever than  
 18 any other use and any other applicant, number  
 19 one.

20 Number two, if I understand  
 21 correctly -- and I'll -- and I'm interested,  
 22 Mr. Costa, in your opinion, but frankly, also, I  
 23 think it's -- we're both wise enough to know that  
 24 the expert on traffic should render this  
 25 opinion -- is it commonplace to have, in a build

<p style="text-align: right;">53</p> <p>1 situation, included therein, in the analysis,  2 already approved -- I'm not talking about the  3 Advanced Reality/Sanofi site, the Center For  4 Excellence, whatever we want to call it --  5 already approved sites that may already be in the  6 development -- post-approval development stage,  7 isn't -- aren't those, at least at times,  8 considered when you do a build analysis for  9 traffic purposes, as opposed to a no-build  10 analysis?  11 MR. AVADHANI: Let me ask you this  12 question --  13 MR. WARNER: No, please answer my  14 question.  15 MR. AVADHANI: Yes.  16 MR. WARNER: Yes, they are --  17 MR. AVADHANI: But --  18 MR. WARNER: Please let me  19 understand your answer.  20 MR. AVADHANI: Okay.  21 MR. WARNER: The yes, it is not  22 uncommon, in the build situation, to take into  23 consideration already -- other already approved  24 developments. Correct?  25 MR. AVADHANI: See, that's why</p>	<p style="text-align: right;">55</p> <p>1 MR. AVADHANI: However, let me  2 clarify something here. The garage, in all due  3 respect to somebody brought that up, that if you  4 put 2,000 spaces, it'll attract more people. The  5 garage is not the trip generator here. The  6 temple is the trip generator. The demand for  7 parking spaces, in all these festival days,  8 that's what we studied in here, has not --  9 correct me if I'm wrong, Rao -- has not exceeded  10 more than 900 spaces, all these years. You talk  11 about 2015, 2016, 2017, 2018, 2019.  12 So having said that, even if we add  13 background traffic or no background traffic, this  14 temple, whatever traffic its generating, is  15 already there on the highway. It's not new  16 traffic that we are adding. We are not adding  17 any other additional traffic, other than at the  18 traffic light, because, instead of going to  19 Advanced Reality, they'll be coming into our  20 site. That's the difference. That's the major  21 difference between our trip generation and other  22 developments.  23 If you put a new development, yes,  24 they will generate more traffic. Say you build a  25 shopping center, as you mentioned, that COE,</p>
<p style="text-align: right;">54</p> <p>1 you're not letting me finish: Yes, but our build  2 year is 2020. So these developments that you're  3 talking about, is it going to be built before  4 2020?  5 MR. WARNER: I'm talking about  6 the --  7 MR. AVADHANI: It all --  8 MR. WARNER: The developments that  9 were addressed by the board members, the chair  10 and others, were developments that, as I  11 understand it, are already approved, and actually  12 already being built, if I'm not mistaken, in my  13 understanding of the questions that were asked.  14 So, in other words, even before  15 2020, they're ahead of this proposed project.  16 Even before 2020, they're anticipated to be, if  17 not already, online. So those are the types of  18 approved and already being developed projects  19 that are routinely considered in a traffic  20 analysis under a build versus no-build scenario.  21 You don't just include your project, you include  22 all the others that exist and that are coming  23 online as we speak. Correct?  24 MR. AVADHANI: That's correct.  25 MR. WARNER: Thank you.</p>	<p style="text-align: right;">56</p> <p>1 they're building a hotel, residence, whatever,  2 they are going to build so many units of houses,  3 thousands of square feet -- I'm just throwing a  4 number, I don't know the numbers -- thousands of  5 square feet, that will attract more traffic, more  6 trips on the highway on 202/206, and on adjacent  7 roadways.  8 Temple traffic, the parking  9 expansion is not generating new traffic. Rao can  10 testify that, over the years, how much has  11 increased at the temple? Do you know what the --  12 offhand, has it increased? You told me a month  13 ago, two months ago, that it has been stagnant  14 over a period of time.  15 MR. CHAVA: There are other temples  16 coming in the area.  17 CHAIRMAN SWEENEY: Can you get him  18 to speak into a microphone, please?  19 MR. COSTA: Rao, you have to speak  20 very clearly --  21 MR. CHAVA: There are many other  22 temples coming in this town and the neighboring  23 towns.  24 MR. COSTA: You've got other  25 competing temples, so your temple population has</p>



<p style="text-align: center;">57</p> <p>1 not increased. Is that what you're saying?</p> <p>2 MR. CHAVA: That's correct.</p> <p>3 MR. AVADHANI: Correct. So that's</p> <p>4 why I'm saying that we are not adding any new</p> <p>5 traffic because of the parking garage. The</p> <p>6 traffic is already there on 202/206.</p> <p>7 CHAIRMAN SWEENEY: That's the --</p> <p>8 MR. AVADHANI: I understand you had</p> <p>9 an experience on January 1st --</p> <p>10 CHAIRMAN SWEENEY: That's the</p> <p>11 problem. How -- see, I'm not going to argue with</p> <p>12 your point about the temple not -- or the garage</p> <p>13 not generating additional trips. I think that's</p> <p>14 probably right.</p> <p>15 My concern is how are we handling</p> <p>16 the existing traffic? It's not how many trips</p> <p>17 are being generated, it's how are you going to</p> <p>18 handle the traffic that today, at least on</p> <p>19 January 1, is not being handled? What is going</p> <p>20 to be different once the garage is in place?</p> <p>21 MR. AVADHANI: For January 1st or</p> <p>22 for other days?</p> <p>23 CHAIRMAN SWEENEY: January 1st.</p> <p>24 MR. AVADHANI: January 1st, it will</p> <p>25 continue to be what we are experiencing now --</p>	<p style="text-align: center;">59</p> <p>1 MR. AVADHANI: On January 1st.</p> <p>2 MR. COSTA: We've stated, from the</p> <p>3 beginning of this application, that January 1st,</p> <p>4 the volume cannot be accommodated in the garage.</p> <p>5 What we're trying to do is -- and propose to do,</p> <p>6 is bring all other festival days -- there were</p> <p>7 four or five festival days that were off site</p> <p>8 previously; we're trying to bring them all</p> <p>9 inside, so they're used -- so that they're -- all</p> <p>10 that traffic goes into the garage. So those are</p> <p>11 the days we're addressing.</p> <p>12 January 1st, we have no -- we have</p> <p>13 no problem discussing with this board, and trying</p> <p>14 to come up with a better traffic solution for</p> <p>15 January 1st, but it's not the garage.</p> <p>16 CHAIRMAN SWEENEY: Okay.</p> <p>17 MR. COSTA: So we're -- we certainly</p> <p>18 don't want to sort of stonewall the board on</p> <p>19 figuring out January 1st in a better manner, but</p> <p>20 that's not going to be solved by the garage.</p> <p>21 Could, potentially, it be helped by the garage,</p> <p>22 by reducing some of the volume? I don't know.</p> <p>23 But we can look into that, we don't have an</p> <p>24 objection to that, but that's not going to be</p> <p>25 solved by the garage.</p>
<p style="text-align: center;">58</p> <p>1 when I say "experiences," what is being done now.</p> <p>2 Like, all the traffic will keep going to Sanofi.</p> <p>3 There will not be any on-site parking. There</p> <p>4 will be police and there will be temple</p> <p>5 volunteers guiding inside the temple for the</p> <p>6 buses and everything at the Sanofi lot. So the</p> <p>7 buses will go back and forth, and we will</p> <p>8 hopefully --</p> <p>9 CHAIRMAN SWEENEY: I get that. I</p> <p>10 think you've misunderstood me.</p> <p>11 What I want to understand is how is</p> <p>12 the existence of a garage going to help alleviate</p> <p>13 that situation on the highway?</p> <p>14 MR. AVADHANI: On January 1st?</p> <p>15 CHAIRMAN SWEENEY: Yes.</p> <p>16 MR. AVADHANI: No, it's not going to</p> <p>17 alleviate anything on January 1st.</p> <p>18 CHAIRMAN SWEENEY: See, I -- when</p> <p>19 this whole application was presented to us, one</p> <p>20 of the reasons for the garage was to get that</p> <p>21 traffic off of 202/206 into the garage, get it</p> <p>22 off the highway and into the garage.</p> <p>23 Now, I think you just contradicted</p> <p>24 that. You told me there's going to be no change</p> <p>25 in the traffic.</p>	<p style="text-align: center;">60</p> <p>1 CHAIRMAN SWEENEY: Well, I</p> <p>2 appreciate that, I really do, and I think your</p> <p>3 offer to look into it is a good one.</p> <p>4 Now, what I'd like to see is -- you</p> <p>5 know, you've submitted -- Mr. Avadhani, I assume</p> <p>6 it was you that submitted the traffic and parking</p> <p>7 management plan. Correct?</p> <p>8 MR. AVADHANI: In conjunction with</p> <p>9 the temple management.</p> <p>10 CHAIRMAN SWEENEY: I think --</p> <p>11 MR. AVADHANI: I assisted in that,</p> <p>12 let me put it that way.</p> <p>13 CHAIRMAN SWEENEY: What's that?</p> <p>14 MR. AVADHANI: I assisted in</p> <p>15 preparing this document.</p> <p>16 CHAIRMAN SWEENEY: Okay. I'm</p> <p>17 delighted to see this report, and I'm delighted</p> <p>18 to see the response of our engineering</p> <p>19 department, which was very positive and very</p> <p>20 favorable.</p> <p>21 They do, however, suggest that the</p> <p>22 plan should be evaluated periodically and updated</p> <p>23 as necessary. One of the things I'd like to see</p> <p>24 you do right off the bat is address January 1. I</p> <p>25 don't know what the answers is. I'm not a</p>

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1 traffic guy. You got the traffic guy over there.  
 2 Let's get his input into how we may be able to  
 3 use the garage, if it's approved and built, along  
 4 with I don't know what else, to really address  
 5 the issues on January 1, because they're -- see,  
 6 on January 1, if you're living on one of the side  
 7 streets off of 202/206, one of the streets that  
 8 has no access other than via 202/206, you can't  
 9 get in or out. That's a public safety hazard.  
 10 Let's address that.

11 MR. COSTA: I think that that's -- I  
 12 mean, we can certainly stipulate to that. I  
 13 don't know the solution at this point, but we can  
 14 certainly stipulate to working with the township  
 15 to reach a solution.

16 CHAIRMAN SWEENEY: Good.  
 17 MR. AVADHANI: We could do that.  
 18 CHAIRMAN SWEENEY: Good.  
 19 Anything else you'd like to present,  
 20 Mr. Avadhani, either about your original report  
 21 or the traffic management plan?

22 MR. AVADHANI: I don't have any more  
 23 to present, unless you have any questions.

24 CHAIRMAN SWEENEY: Okay. I've got a  
 25 couple of other questions.

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1 MR. AVADHANI: Sure.  
 2 CHAIRMAN SWEENEY: What's going to  
 3 happen on a day when -- I think -- I think you've  
 4 said that the max number of parking spaces you'd  
 5 require, or historically would have required, is  
 6 about 900. Is that right?

7 MR. AVADHANI: Correct.  
 8 CHAIRMAN SWEENEY: And with the  
 9 parking garage, you're a thousand, give or take.

10 MR. AVADHANI: 1,047, yeah.  
 11 CHAIRMAN SWEENEY: Okay. What  
 12 happens if there's a demand for parking on site  
 13 even with the garage? What do you do with the  
 14 overflow? Where do they go?

15 MR. AVADHANI: The overflow will go  
 16 back to -- what is it -- the Brown Road school,  
 17 you said?

18 MR. CHAVA: We're not expecting --  
 19 right now, based on what we have been using, we  
 20 have been using mostly as the something  
 21 festivals.

22 On site, we have 500 capacity right  
 23 now.

24 CHAIRMAN SWEENEY: Okay.  
 25 MR. CHAVA: Off site, we are parking

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1 about 300.

2 CHAIRMAN SWEENEY: Where is that off  
 3 site?

4 MR. CHAVA: Right now, Advanced  
 5 Reality.

6 MR. AVADHANI: Advanced Reality,  
 7 right now.

8 CHAIRMAN SWEENEY: So you would  
 9 still -- if, in fact, the garage fills up, and  
 10 all of the other on-site spots fill up, you would  
 11 direct people to Advanced Reality, or wherever?  
 12 Would you have busing set up at that point? I  
 13 would think that's something you would have to do  
 14 in advance.

15 MR. AVADHANI: We -- as from what I  
 16 understand from the temple management is that we  
 17 do not anticipate that it will go beyond the  
 18 1,000 spaces, because, so far, we have not  
 19 experienced that, other than New Year's.

20 CHAIRMAN SWEENEY: Just because you  
 21 don't anticipate it, doesn't mean it's not going  
 22 to happen, and you've got to plan for those  
 23 circumstances. That's my question. How are you  
 24 going to deal with that? If it happens. If it  
 25 happens.

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1 MR. COSTA: We could certainly --  
 2 correct me if I'm wrong -- they could certainly  
 3 arrange for busing to one of the sites that are  
 4 nearby. Advanced Reality may not be -- may not  
 5 be available long term, but some of the other  
 6 sites, Brown Road school.

7 MR. CHAVA: Brown Road school is  
 8 the --

9 MR. WARNER: Is that Hillside  
 10 Elementary School?

11 MR. AVADHANI: Yeah, the Hillside  
 12 Elementary School.

13 MR. COSTA: So there would be other  
 14 options --

15 MR. WARNER: Can you plan -- but you  
 16 would need some lead time to plan for busing, is  
 17 the chairman's assumption, and I suspect that's  
 18 an accurate assumption.

19 MR. COSTA: It is, but at this  
 20 point, we don't have any historical records that  
 21 show that we would exceed the parking that we're  
 22 proposing to build. We've proposed more parking  
 23 than is ever used on any day other than New  
 24 Year's.

25 So could it happen, and could we

<p style="text-align: right;">65</p> <p>1 need to plan for that? Yes. You know, is there  2 a system we could put in place? We can work on  3 that. I mean, that's --  4 CHAIRMAN SWEENEY: I think that's  5 something else that you need to add to your  6 traffic management plan, just in case there is a  7 demand for spots that exceeds the available  8 supply. Let's not respond by saying, oh, well,  9 we didn't think it was going to happen. That's  10 not go to help. All right? Let's have a plan in  11 place beforehand.  12 MR. COSTA: That's fine.  13 MR. CHAVA: We already have 100, 150  14 excess -- more than what we need. We're saying  15 800 to 900 is adequate for us.  16 CHAIRMAN SWEENEY: Yeah, I  17 understand there are enough spots off site. My  18 question is: What's the process going to be that  19 allows you to utilize those spots if the demand  20 turns out to be greater than you expected?  21 Because you know when that's going to happen.  22 Right? It's going to happen on the day of the  23 event; it's not going to happen three days before  24 the event. How are you going to deal with that  25 at the time of the event is my question.</p>	<p style="text-align: right;">67</p> <p>1 CHAIRMAN SWEENEY: As of today, how  2 many have you utilized off-site parking?  3 MR. CHAVA: January 1st. March 4th.  4 CHAIRMAN SWEENEY: Okay.  5 MR. CHAVA: And April 13th.  6 CHAIRMAN SWEENEY: Okay. So those  7 --  8 MR. WARNER: I'm sorry, wasn't there  9 already testimony that January 8th was a holiday  10 that required off-site parking, or did it fall on  11 a weekend?  12 MR. COSTA: That's it -- no, that  13 happened in December.  14 MR. WARNER: Well, I know that.  15 MR. AVADHANI: No, what happened in  16 January 8th was we used --  17 MR. WARNER: January 8th, 2019, what  18 happened?  19 MR. CHAVA: We didn't have to use --  20 MR. COSTA: You didn't have to use  21 off-site parking on January 8th? Okay. So less  22 attended.  23 MR. WARNER: Was it a weekend or a  24 weekday? Anybody with a calendar.  25 MR. AVADHANI: It was -- everybody</p>
<p style="text-align: right;">66</p> <p>1 MR. CHAVA: In the case --  2 Hillside --  3 MR. COSTA: Rao, we're going to come  4 up -- we're going to supplement the plan with  5 that information. I don't want to do it on the  6 fly, I want to give you --  7 CHAIRMAN SWEENEY: Okay. Terrific.  8 MR. WARNER: Makes sense. I believe  9 the legal term for that is a plan B.  10 MR. COSTA: That's fine, yes.  11 CHAIRMAN SWEENEY: Okay. One more  12 question from me, and then we'll see what else  13 other folks have for you.  14 So far this year, how many days have  15 you utilized off-site parking?  16 MR. CHAVA: There were five times.  17 CHAIRMAN SWEENEY: No, how many days  18 this year. So far this year, how many have you  19 used?  20 MR. WARNER: 2019.  21 CHAIRMAN SWEENEY: This year, 2019.  22 MR. CHAVA: Two times.  23 MR. COSTA: So if you look at this  24 list, which holidays did you utilize off-site  25 parking?</p>	<p style="text-align: right;">68</p> <p>1 has to look at their phone.  2 MR. CHAVA: Yeah, I think we used  3 only three times.  4 PUBLIC SPEAKER: It's Tuesday.  5 MR. AVADHANI: It was a weekday,  6 Tuesday.  7 MR. WARNER: It was a weekday, but  8 nevertheless, you did not need traffic help,  9 notwithstanding, presumably, there was a rush  10 hour on the weekday. Okay. That's the reason I  11 asked, thank you.  12 CHAIRMAN SWEENEY: Okay. So we got  13 the three dates that you've used off-site parking  14 so far this year. Right?  15 MR. CHAVA: That's correct.  16 CHAIRMAN SWEENEY: What are the two  17 remaining dates going to be that you're going to  18 utilize off-site parking?  19 MR. AVADHANI: September 2nd.  20 MR. CHAVA: Yeah, September 2nd, and  21 October 27th.  22 CHAIRMAN SWEENEY: Okay.  23 MR. WARNER: Can I ask a question?  24 MR. COSTA: Sure.  25 MR. WARNER: Based on the prior</p>

<p style="text-align: right;">69</p> <p>1 testimony -- if I may, based on the prior  2 testimony, are we certain that none of those  3 other holidays, if they fall on a weekday, are  4 going to require traffic assistance from the  5 police?  6 MR. COSTA: That was a -- they may  7 require traffic assistance, and that's set forth  8 in -- at the bottom of Schedule A, but that was a  9 different question than the off-site traffic.  10 CHAIRMAN SWEENEY: Yeah.  11 MR. COSTA: So that's why --  12 MR. WARNER: Got it. Thank you.  13 COMMISSIONER AMIN: I have a  14 question regarding the two other holidays, which  15 is April 5th, the lunar new year, and April 14th,  16 solar new year. Those are special days. So did  17 you have more than unusual number of cars coming?  18 MR. CHAVA: Again, normally, we were  19 able to accommodate on the premises.  20 COMMISSIONER AMIN: So the present  21 parking lot is able to accommodate that?  22 MR. AVADHANI: On-site parking was  23 able to accommodate for those two days.  24 COMMISSIONER AMIN: Okay. Thank  25 you.</p>	<p style="text-align: right;">71</p> <p>1 days ago. Did -- can we ask your traffic expert  2 if he got a copy?  3 MR. AVADHANI: No.  4 MR. COSTA: It would have come  5 through me.  6 MR. AVADHANI: It would go through  7 him first before it comes to me.  8 CHAIRMAN SWEENEY: I apologize for  9 not getting you a copy of that.  10 MR. COSTA: That's okay. You know,  11 if it's positive, I just want to see it. Give me  12 just a second.  13 CHAIRMAN SWEENEY: It's a very --  14 it's a very brief report. The conclusions  15 section is on page 2 of 2. And you can certainly  16 take a look at that page, if you'd like, I have  17 that.  18 (Whereupon, there is a brief pause  19 in the proceeding.)  20 MR. COSTA: We have no problem  21 agreeing with everything in that conclusion.  22 CHAIRMAN SWEENEY: Good. Thank you.  23 MR. WARNER: If I may, do you agree  24 with page 1, the factual characterization of the  25 parking management plan summary? Is it an</p>
<p style="text-align: right;">70</p> <p>1 CHAIRMAN SWEENEY: Did you have  2 anything that you'd like to say in response to  3 our engineer's response to your traffic  4 management plan, Mr. Avadhani, Mr. Chava? I  5 mean, it was -- it was quite positive. Right?  6 It says, In our opinion, the outlined plans  7 presented an effective approach to managing the  8 traffic and parking demands on the site  9 throughout the year, and I think, if you can  10 expand that plan to accommodate the couple of  11 points that we've been talking about, it would  12 make it that much better, the plan. So that's  13 what I hope you will do. Okay?  14 MR. AVADHANI: Yes.  15 MR. COSTA: I have a question. I  16 have not seen the response to our traffic manual.  17 MR. WARNER: I think it's April 11,  18 2019, William H. Burr IV, PE.  19 MR. COSTA: Yeah, I didn't receive  20 that, so I'd like to -- to take a look at it.  21 MR. WARNER: Certainly.  22 CHAIRMAN SWEENEY: I would give you  23 my copy, but I only ripped off the last page, so  24 I apologize.  25 MR. WARNER: April 11th was five</p>	<p style="text-align: right;">72</p> <p>1 accurate characterization of the -- of your  2 parking management plan? Page 1. Is it an  3 accurate characterization of your parking  4 management plan?  5 MR. AVADHANI: Page 1 of our parking  6 management plan?  7 MR. WARNER: No, the April 11, 2019  8 report, the two-page report that your counsel  9 just put in front of you, is that an accurate  10 characterization of your parking management plan,  11 page 1? It's a few sentences.  12 MR. FORSYTHE: No, you're not  13 looking at the right report. You've got too many  14 pages.  15 MR. AVADHANI: I know, that's why --  16 MR. WARNER: Chris, you gave him the  17 April 11th that was just given to you?  18 THE SECRETARY: It's all the way at  19 the end.  20 MR. WARNER: Jackie, you gave him  21 the whole big package?  22 THE SECRETARY: That's what I was  23 given.  24 MR. COSTA: There you go. All  25 right.</p>

<p style="text-align: center;">73</p> <p>1 MR. WARNER: Now you're on page 1 of</p> <p>2 the April 11, 2019?</p> <p>3 Is that an accurate characterization</p> <p>4 of the parking management plan, that page 1,</p> <p>5 those two paragraphs? It's a summary. Is that</p> <p>6 accurate?</p> <p>7 MR. COSTA: The -- yes, it's</p> <p>8 accurate, because we have four highlighted in the</p> <p>9 Schedule A, and then we have New Year's Day as a</p> <p>10 fifth. So it goes to the days when we need the</p> <p>11 greatest security -- or the greatest police</p> <p>12 assistance on site.</p> <p>13 MR. WARNER: Okay.</p> <p>14 MR. COSTA: So that's accurate.</p> <p>15 MR. WARNER: So page 1 is an</p> <p>16 accurate characterization, and you agree with all</p> <p>17 the conclusions on page 2. Correct?</p> <p>18 MR. AVADHANI: Yeah, you already</p> <p>19 agreed to that.</p> <p>20 MR. COSTA: Yes.</p> <p>21 MR. WARNER: And you'll stipulate as</p> <p>22 a condition of approval, should the board approve</p> <p>23 the application, and should the board desire to</p> <p>24 accept the stipulation, you'll stipulate to</p> <p>25 the -- complying with recommendations made on</p>	<p style="text-align: center;">75</p> <p>1 and then the temple is permitted to park there.</p> <p>2 MR. WARNER: I suspect that</p> <p>3 constitutes from your perspective the agreements</p> <p>4 would be what would be anticipated to be</p> <p>5 submitted.</p> <p>6 MR. COSTA: And that's fine, I just</p> <p>7 don't want to create -- there is not a formal</p> <p>8 easement or license agreement; it's an informal</p> <p>9 agreement, at this point, with the three</p> <p>10 different locations: Sanofi, Advanced Reality,</p> <p>11 and the elementary school.</p> <p>12 MR. WARNER: And is there a plan B</p> <p>13 for what, if anything, happens when there is --</p> <p>14 when they do not agree? Since there's no binding</p> <p>15 agreement prospectively.</p> <p>16 MR. COSTA: We have three -- three</p> <p>17 places that already agreed, and there are many</p> <p>18 large parking areas in the area that we would</p> <p>19 approach, if they did not agreement.</p> <p>20 MR. WARNER: And so you have a</p> <p>21 reasonable expectation prospectively that one,</p> <p>22 two, or all three will continue to agree, and in</p> <p>23 the event they do not, you have a reasonable</p> <p>24 expectation that there are alternatives that</p> <p>25 would be available to you. Is that correct?</p>
<p style="text-align: center;">74</p> <p>1 page 2 of the April 11, 2019 report. Correct?</p> <p>2 MR. COSTA: Yes, which let me just</p> <p>3 read those back to you, to make sure that we're</p> <p>4 on the same -- same page, which is that the board</p> <p>5 adopt the plan as a guiding document for traffic</p> <p>6 management on the temple property, and should</p> <p>7 condition any approval with a requirement that</p> <p>8 the temple operate their parking in accordance</p> <p>9 with the document. We agree to that.</p> <p>10 This plan should also be evaluated</p> <p>11 periodically and updated as necessary if parking</p> <p>12 demands increase in the future. We agree to</p> <p>13 that.</p> <p>14 Additionally, the applicant should</p> <p>15 submit all off-site parking agreements to the</p> <p>16 board for their review, and should attach these</p> <p>17 agreements to the traffic and parking management</p> <p>18 plan as appendices, which is acceptable.</p> <p>19 I will tell you, we -- let me use</p> <p>20 the mic -- the temple does not have formal</p> <p>21 agreements with these other properties. What</p> <p>22 they do is -- and I have a sample e-mail -- they</p> <p>23 send an e-mail to the properties, asking for them</p> <p>24 to agree to allow them to park, and the</p> <p>25 properties ask for a certificate of insurance,</p>	<p style="text-align: center;">76</p> <p>1 MR. COSTA: Correct. We have never</p> <p>2 had an issue with any of them at this point.</p> <p>3 MR. WARNER: And you'll also</p> <p>4 stipulate as conditions of approval to the</p> <p>5 chairman's requests with respect to what I</p> <p>6 characterize as plan B -- and I apologize,</p> <p>7 Mr. Chairman, I recall there being a second one,</p> <p>8 I just can't recall exactly what it was.</p> <p>9 CHAIRMAN SWEENEY: The first one</p> <p>10 was, you know, what can we possibly do, or what</p> <p>11 can possibly be done to address and alleviate the</p> <p>12 traffic situation on January 1.</p> <p>13 MR. WARNER: And you'll make a good</p> <p>14 faith effort to come up with a plan consistent</p> <p>15 with the -- or in coordination with the township</p> <p>16 engineering department?</p> <p>17 MR. COSTA: We will do that,</p> <p>18 correct.</p> <p>19 MR. WARNER: Okay.</p> <p>20 CHAIRMAN SWEENEY: And the second</p> <p>21 point was, what happens if there's a greater</p> <p>22 demand than you have slots available for parking?</p> <p>23 MR. COSTA: We will come up with</p> <p>24 that what I'm going to call impromptu busing</p> <p>25 plan, or a planned busing plan for overflow.</p>

<p style="text-align: right;">77</p> <p>1 CHAIRMAN SWEENEY: Sounds good.</p> <p>2 MR. WARNER: Thank you.</p> <p>3 MR. COSTA: We can include that, and</p> <p>4 amend our traffic plan to include those two</p> <p>5 items.</p> <p>6 CHAIRMAN SWEENEY: Thank you.</p> <p>7 Anyone on the board have any</p> <p>8 questions for Mr. Avadhani about his original</p> <p>9 traffic counts, or his traffic management plan,</p> <p>10 or --</p> <p>11 COMMISSIONER FOOSE: Mrs. Amin,</p> <p>12 please.</p> <p>13 COMMISSIONER AMIN: I have a</p> <p>14 question that might be answered by Mr. Chava.</p> <p>15 In the past, do you -- if people</p> <p>16 park at the Hillside School, have we provided</p> <p>17 buses from Hillside School to the temple, or</p> <p>18 people just walk?</p> <p>19 MR. CHAVA: They could walk, but we</p> <p>20 do arrange buses.</p> <p>21 COMMISSIONER AMIN: From Hillside</p> <p>22 School, also you provide buses?</p> <p>23 MR. CHAVA: Yes.</p> <p>24 COMMISSIONER AMIN: Okay. That's</p> <p>25 what I wanted to clarify. Okay.</p>	<p style="text-align: right;">79</p> <p>1 temple, they want to leave the temple; they don't</p> <p>2 want to wait in a busing line. It has to happen</p> <p>3 on New Year's, but they're not seeking to do that</p> <p>4 on other dates.</p> <p>5 MR. WARNER: And Mr. Costa, would I</p> <p>6 be correct in my characterization of the prior</p> <p>7 memorandum of understanding and other related</p> <p>8 documents in connection with the prior litigation</p> <p>9 that was resolved by way of an approval and</p> <p>10 settlement and MOU, memorandum of understanding,</p> <p>11 that the -- there was a concern with the amount</p> <p>12 of times which off-site busing and off-site</p> <p>13 parking would have to take place, and there was</p> <p>14 an effort -- or at least perhaps an intent, you</p> <p>15 tell me -- from the applicant's perspective --</p> <p>16 and perhaps even from the municipality's</p> <p>17 perspective -- to minimize the number of times</p> <p>18 that there would have to be off-site parking, and</p> <p>19 therefore the associated implications with same?</p> <p>20 MR. COSTA: That's correct. That's</p> <p>21 correct.</p> <p>22 MR. WARNER: So that was something</p> <p>23 that -- it's your position, your client's</p> <p>24 position, that that's something they're looking</p> <p>25 for, but it's also your client's position that</p>
<p style="text-align: right;">78</p> <p>1 COMMISSIONER HUMENICK: If I could</p> <p>2 ask a question here too.</p> <p>3 Is it possible, because it isn't a</p> <p>4 garage -- this facility that you're not putting</p> <p>5 on the property, that's not attracting people.</p> <p>6 Is it possible that maybe that should be built,</p> <p>7 but the money that's been dedicated for that</p> <p>8 project be used to purchase a piece of</p> <p>9 property -- as you alluded to, that there's a lot</p> <p>10 of parking lots available, places for parking --</p> <p>11 is there any property close by that, for five</p> <p>12 days a year, that you own it all 365, but you can</p> <p>13 put a parking lot on that piece of property, and</p> <p>14 just have the jitneys go for those five days? Is</p> <p>15 there a piece of property available that they</p> <p>16 could purchase for the same cost as the garage?</p> <p>17 MR. COSTA: The garage is -- the</p> <p>18 garage is what my client is seeking, because</p> <p>19 that's what the worshippers are looking for, in</p> <p>20 terms of being able to come on site, and park on</p> <p>21 site.</p> <p>22 One of the conditions we're trying</p> <p>23 to avoid is having to bus people on and off site.</p> <p>24 That is not a good condition for the worshippers.</p> <p>25 They want to be on site, they want to go into the</p>	<p style="text-align: right;">80</p> <p>1 that was something that the municipality was</p> <p>2 seeking to minimize back then. Correct?</p> <p>3 MR. COSTA: Correct.</p> <p>4 CHAIRMAN SWEENEY: Anyone else?</p> <p>5 Jeff?</p> <p>6 COMMISSIONER FOOSE: Very quickly.</p> <p>7 Obviously, I'm very concerned about the 202/206</p> <p>8 corridor to our township. And I don't want to</p> <p>9 speak about the COE, because we don't know about</p> <p>10 the COE, but what I do know about is the Insmed</p> <p>11 property; there's 120-room hotel that's been</p> <p>12 approved as of last week in Bedminster, next to</p> <p>13 the Bridgewater Manor, that's on the border of</p> <p>14 our township, and the mosque, which is in</p> <p>15 existence, it's being constructed.</p> <p>16 So I just want to really just hear</p> <p>17 you tell me that what are those projects put into</p> <p>18 your calculation for something? I heard a 1</p> <p>19 percent number thrown out for a 2019 over 2020</p> <p>20 growth factor, but were any of these existing</p> <p>21 approved construction projects put into your</p> <p>22 traffic study which you testified to today?</p> <p>23 MR. AVADHANI: It has not been</p> <p>24 included as background traffic in our traffic</p> <p>25 study, no.</p>

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1 COMMISSIONER FOOSE: Thank you very  
2 much.

3 MR. AVADHANI: However, we used the  
4 1.5 percent, more than -- half a percent more  
5 than normal 1 percent that NJDOT --

6 COMMISSIONER FOOSE: Since you  
7 offered, where did that half a percent come from?  
8 Was that a number you came up with to be safe?

9 MR. AVADHANI: We just used that --  
10 to tell you the truth, I don't know how we used  
11 it --

12 MR. COSTA: It was a more  
13 conservative -- a number that assumed growth,  
14 because this township has growth.

15 COMMISSIONER FOOSE: Since you  
16 offered again, I'll keep going there. Since the  
17 half a percent number is assuming growth, is  
18 there a town similar to Bridgewater where you've  
19 pulled that number from? I'm curious, because I  
20 am a medical person by trade and profession, so  
21 I'm curious what your basis for that growth  
22 factor is coming from.

23 MR. AVADHANI: I have no basis for  
24 that, it was just a 1.5 percent, we just wanted  
25 to be safe to have an increased traffic volume.

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1 COMMISSIONER FOOSE: Sir, you  
2 sound --

3 MR. AVADHANI: The reason we do  
4 that, the reason is because I've done traffic  
5 impact studies in New York City and all, and  
6 typically, if the -- if the agency says 2  
7 percent, we just go, as a safety factor, as a  
8 factor of safety, we say, okay, let's go with 3  
9 percent. So things like that.

10 COMMISSIONER FOOSE: Okay.

11 MR. AVADHANI: That's the only  
12 reason.

13 MR. WARNER: It's basically 150  
14 percent of what some agency requires. In this  
15 case, it's the DOT requires 1 percent --

16 COMMISSIONER FOOSE: Right.

17 MR. WARNER: -- 1 and a half --

18 COMMISSIONER FOOSE: So they built a  
19 buffer, and that buffer is not really subjective  
20 to the person doing the analysis.

21 MR. AVADHANI: That's correct. It  
22 was just a number that -- that's how we do  
23 traffic engineering, we just have a buffer to say  
24 that, okay, as a factor of safety -- I just  
25 didn't want somebody to say that, oh, it's going

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1 to be 2 percent, where did you come that from, 1  
2 percent, 1 and a half. So we go 50 percent more  
3 than what NJDOT recommends.

4 COMMISSIONER FOOSE: Great. That  
5 was helpful, thank you.

6 CHAIRMAN SWEENEY: Any other  
7 questions?

8 COMMISSIONER GUTTSCHALL: I have a  
9 question that's sort of related to the traffic,  
10 but may not be related. When you have a -- an  
11 event, do you know how many people are going to  
12 come to the event prior? Like, do you give,  
13 like, tickets, or passes, or do you have any idea  
14 how many people are going to come before it  
15 actually happens?

16 MR. AVADHANI: No.

17 COMMISSIONER GUTTSCHALL: So it's  
18 just like a free-for-all, anybody can come on any  
19 holiday they want? Is that how it works?

20 MR. COSTA: The -- I think  
21 "free-for-all" isn't quite right, but it is a --  
22 as I understand it -- and I may not be the best  
23 person to describe it, so correct me if I'm  
24 wrong -- and this is in our manual -- it is a  
25 worship process where, basically, they go through

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1 the temple and worship -- and I'll let you, Rao,  
2 explain that further -- and then leave.

3 It's not a -- a service where  
4 everyone sits. So it's -- it's some people come  
5 early; some people come later. Sometimes it's a  
6 beautiful day, and more people come. So that's  
7 where you get the little bit of variation.

8 COMMISSIONER GUTTSCHALL: But you  
9 have -- also, you have a membership, I would  
10 imagine, and you wouldn't necessarily --

11 MR. CHAVA: No, you don't have to be  
12 a member.

13 COMMISSIONER GUTTSCHALL: You don't  
14 have a membership either?

15 MR. AVADHANI: The way it works is  
16 people just come there, they worship, and they  
17 leave. Of course, there's a cafeteria, people go  
18 there to eat, but other than that, they come  
19 there, they worship, and they leave. It is not  
20 like -- "event" is the wrong word, I would say.  
21 It's more for religious purpose, that people  
22 would come, they pray to the god, and they just  
23 leave.

24 MR. COSTA: And my understanding is,  
25 if it's one of the holidays, or festival days,

<p style="text-align: right;">85</p> <p>1 that's not a day where people stop and socialize.</p> <p>2 If it's a Saturday, there's more socializing,</p> <p>3 where people linger on site. That's correct?</p> <p>4 MR. CHAVA: That's correct. Yeah,</p> <p>5 weekdays, there's less.</p> <p>6 COMMISSIONER GUTTSCHALL: So you</p> <p>7 base your holidays, basically, on previous</p> <p>8 holidays, how they've been, that's how you would</p> <p>9 base the day that you're anticipating?</p> <p>10 MR. COSTA: That's the anticipated</p> <p>11 volume, correct.</p> <p>12 MR. CHAVA: Yeah.</p> <p>13 COMMISSIONER AMIN: I have a</p> <p>14 question for Mr. Chava. You have listed here</p> <p>15 January 1st, and if I remember correctly,</p> <p>16 December 31st, at midnight, I've gone to the</p> <p>17 temple in the past. So is that still being held</p> <p>18 as a midnight kind of a thing, where you can</p> <p>19 actually go inside --</p> <p>20 MR. CHAVA: Yeah, people can go</p> <p>21 inside --</p> <p>22 COMMISSIONER AMIN: You still have</p> <p>23 that?</p> <p>24 MR. CHAVA: -- the temple.</p> <p>25 COMMISSIONER AMIN: So how do people</p>	<p style="text-align: right;">87</p> <p>1 enough parking for people to park --</p> <p>2 MR. CHAVA: Not that many people</p> <p>3 come at night.</p> <p>4 COMMISSIONER AMIN: Very few people</p> <p>5 come.</p> <p>6 MR. AVADHANI: Yeah, there would be</p> <p>7 on-site parking if it is open at that time, yes.</p> <p>8 MR. WARNER: And if there's</p> <p>9 sufficient on-site parking now with roughly 500</p> <p>10 spots, there'll be more than sufficient on-site</p> <p>11 parking with more than 1,000 spots, if you have</p> <p>12 the approval. Correct?</p> <p>13 MR. AVADHANI: Correct.</p> <p>14 MR. FORSYTHE: Okay. I've got</p> <p>15 two -- two or three quick comments.</p> <p>16 One is, I think the police traffic</p> <p>17 safety, and you should also comment on your --</p> <p>18 your parking plan, since they're involved with</p> <p>19 it, they've been involved with you for so many</p> <p>20 years, they're going to have their own insights</p> <p>21 into it. So I'll get them a copy.</p> <p>22 MR. WARNER: Just so I'm clear, the</p> <p>23 engineering department commented, but the police</p> <p>24 have not yet --</p> <p>25 MR. FORSYTHE: Correct.</p>
<p style="text-align: right;">86</p> <p>1 come at that time? Do they use the bus?</p> <p>2 MR. CHAVA: No, they drive. They</p> <p>3 drive. How do they come to the temple, you mean?</p> <p>4 COMMISSIONER AMIN: Yeah, on</p> <p>5 December 31st, midnight, when the new year</p> <p>6 switches, at 12 o'clock, people like to go into</p> <p>7 the temple and pray. Right?</p> <p>8 MR. CHAVA: Yes.</p> <p>9 COMMISSIONER AMIN: Instead of going</p> <p>10 to a bar and having a party, some people go and</p> <p>11 pray to God. So the question is, do you still</p> <p>12 have that?</p> <p>13 MR. CHAVA: We still have that.</p> <p>14 COMMISSIONER AMIN: How do --</p> <p>15 MR. AVADHANI: Is it open at</p> <p>16 midnight?</p> <p>17 MR. CHAVA: They close after</p> <p>18 midnight.</p> <p>19 MR. COSTA: That's the only day of</p> <p>20 the year --</p> <p>21 MR. WARNER: Do you have sufficient</p> <p>22 parking existing for the number of people --</p> <p>23 MR. CHAVA: There's the time change.</p> <p>24 After 12 o'clock, we close the temple.</p> <p>25 COMMISSIONER AMIN: Yeah, so there's</p>	<p style="text-align: right;">88</p> <p>1 MR. WARNER: -- and traffic safety</p> <p>2 have not yet. Do you have any objection to the</p> <p>3 police and traffic safety having an opportunity</p> <p>4 to comment and provide their input?</p> <p>5 MR. COSTA: No objection.</p> <p>6 CHAIRMAN SWEENEY: They may be able</p> <p>7 to provide some useful input, in terms of the two</p> <p>8 issues we talked about earlier.</p> <p>9 MR. AVADHANI: I was about to say,</p> <p>10 that would help us, actually.</p> <p>11 MR. COSTA: Yes.</p> <p>12 MR. FORSYTHE: And in regard to the</p> <p>13 chairman's two issues, on the January 1st date,</p> <p>14 although you have the off-site parking, you may</p> <p>15 need to give specific directions to your people</p> <p>16 in your publications, or however you get the word</p> <p>17 out, that parking off site -- how to get there?</p> <p>18 Because, a lot of times, people will still head</p> <p>19 to the temple, look, can I park in there, and</p> <p>20 that may be causing a lot of the bottlenecking</p> <p>21 that the chairman saw this year. So, a lot of</p> <p>22 times, if you give them specific directions,</p> <p>23 people not sure how to get them, you give them</p> <p>24 directions to come in from the north instead of</p> <p>25 pass the temple, that might help alleviate some</p>



<p style="text-align: right;">89</p> <p>1 of that traffic right at that intersection.</p> <p>2 MR. CHAVA: Sure. Sure.</p> <p>3 MR. FORSYTHE: On the other holy</p> <p>4 days, where you're expecting 2 traffic or the</p> <p>5 parking to just be on site, if you do arrange</p> <p>6 with the Hillside School, you can walk down that</p> <p>7 hill, there is sidewalk along one side of Brown</p> <p>8 Road, to bring you to the temple. You know, so</p> <p>9 that may be an easier way to adjust or to address</p> <p>10 that kind of situation.</p> <p>11 MR. WARNER: If I may, it's my</p> <p>12 understanding that there may be safe pedestrian</p> <p>13 access from Hillside Elementary School --</p> <p>14 MR. CHAVA: There's sidewalk.</p> <p>15 MR. WARNER: -- to the -- to the</p> <p>16 temple property?</p> <p>17 MR. FORSYTHE: Mm-hmm.</p> <p>18 MR. WARNER: And if I recall</p> <p>19 correctly, there's about 100 spaces, was that</p> <p>20 correct, available at the Hillside?</p> <p>21 MR. COSTA: 300.</p> <p>22 MR. AVADHANI: 150.</p> <p>23 MR. WARNER: 150. Okay.</p> <p>24 MR. AVADHANI: At the Brown Road</p> <p>25 school.</p>	<p style="text-align: right;">91</p> <p>1 queue lane where they can make that left-hand</p> <p>2 turn. How many cars can fit in there?</p> <p>3 MR. AVADHANI: Right now, in the</p> <p>4 storage lane, the left-hand storage --</p> <p>5 COMMISSIONER FROSS: Yeah.</p> <p>6 MR. AVADHANI: The left-hand storage</p> <p>7 is about 200 feet, approximately 200 feet. So</p> <p>8 about -- we assume about a 20-foot car length,</p> <p>9 because the spacing in between.</p> <p>10 COMMISSIONER FROSS: So 10 cars?</p> <p>11 MR. AVADHANI: So 10 cars.</p> <p>12 COMMISSIONER FROSS: Based on your</p> <p>13 analysis, how often, during your peak periods, is</p> <p>14 that going to be full, so the cops have to now</p> <p>15 let those cars go, so they don't back up into</p> <p>16 your primary lanes on 202?</p> <p>17 MR. AVADHANI: I don't have that</p> <p>18 number on top of my head, but I will look into</p> <p>19 it.</p> <p>20 COMMISSIONER FROSS: Yes.</p> <p>21 MR. AVADHANI: I think it's about --</p> <p>22 well, the cops can keep on sending the vehicles</p> <p>23 through there. Right?</p> <p>24 COMMISSIONER FROSS: But my question</p> <p>25 is, I don't want to back up -- I don't want to</p>
<p style="text-align: right;">90</p> <p>1 MR. WARNER: That might be part of a</p> <p>2 potential plan B, perhaps.</p> <p>3 COMMISSIONER AMIN: I have a</p> <p>4 suggestion: The temple issues a three monthly</p> <p>5 calendar that gets mailed out. If you put this</p> <p>6 information in that calendar, and people will --</p> <p>7 whoever is getting the mailing will be able to</p> <p>8 read it --</p> <p>9 MR. CHAVA: Yeah, actually, we put</p> <p>10 it on the website also. Our website is always</p> <p>11 there.</p> <p>12 MR. WARNER: I think we're</p> <p>13 experiencing a collaborative process, for the</p> <p>14 record.</p> <p>15 I'm sorry, who --</p> <p>16 MR. COSTA: There was a comment.</p> <p>17 COMMISSIONER FROSS: Yeah, I have a</p> <p>18 question. Looking at your schedule, there</p> <p>19 appears to be five days that we're going to have</p> <p>20 to have police presence to help manage your</p> <p>21 traffic, and that includes January 1, plus the</p> <p>22 other four that you have outlined here.</p> <p>23 Obviously, you're anticipating</p> <p>24 heavier traffic volumes. In particular, coming</p> <p>25 northbound now at 202, you have a queue line or a</p>	<p style="text-align: right;">92</p> <p>1 stop up 202 every minute and a half, so that we</p> <p>2 can clear out that queue lane.</p> <p>3 MR. AVADHANI: That's why I said,</p> <p>4 the northbound -- the entire roadway, entire</p> <p>5 approach, traffic will be moving. The police is</p> <p>6 going to allow them to keep going; not just the</p> <p>7 left turns, even the through and the right turns</p> <p>8 as well.</p> <p>9 COMMISSIONER FROSS: But you will be</p> <p>10 stopping the southbound lane.</p> <p>11 MR. AVADHANI: That's correct.</p> <p>12 COMMISSIONER FROSS: Okay.</p> <p>13 CHAIRMAN SWEENEY: I want to -- I</p> <p>14 just want to add a comment. The traffic</p> <p>15 situation today is not a good one, at least once</p> <p>16 or twice a year.</p> <p>17 MR. COSTA: Mm-hmm.</p> <p>18 CHAIRMAN SWEENEY: I give -- I give</p> <p>19 the temple community a lot of credit for trying</p> <p>20 to work with us, in terms of listening to our</p> <p>21 earlier comments about what this parking garage</p> <p>22 is going to look like, how it's going to work,</p> <p>23 how it was going to be camouflaged with</p> <p>24 vegetative buffers, and so forth and so on. I</p> <p>25 really -- I do appreciate all the cooperation</p>

<p style="text-align: right;">93</p> <p>1 that you've shown the board in that respect.</p> <p>2 And I think we can make some real</p> <p>3 good progress, in terms of handling this traffic</p> <p>4 issue, because if we can leave this with a</p> <p>5 feeling that, you know, we've really done enough</p> <p>6 to make the traffic situation better than it is</p> <p>7 today, that's a -- that's a very good thing, and</p> <p>8 I think we're headed in that direction.</p> <p>9 MR. COSTA: Well, our goal was to</p> <p>10 take cars off the road, so that should be the end</p> <p>11 result.</p> <p>12 CHAIRMAN SWEENEY: Well, that will</p> <p>13 help, but I think one of the things you need to</p> <p>14 do, for example, is -- I think you've talked</p> <p>15 about having -- especially your own security</p> <p>16 people on site during these heavy special event</p> <p>17 days. They need to be, I would think, all along</p> <p>18 that roadway that leads from 202/206 to the</p> <p>19 parking garage, to keep that flow of traffic</p> <p>20 moving, so it doesn't stop, because once it</p> <p>21 stops, it only takes about five or six cars that</p> <p>22 stop in that left-hand turn lane, because then</p> <p>23 nobody goes anywhere northbound on 202/206.</p> <p>24 So, you know, there's a lot of --</p> <p>25 MR. CHAVA: Yeah, that's our main</p>	<p style="text-align: right;">95</p> <p>1 going to happen. They need to be cajoled,</p> <p>2 directed, pushed, yelled at, whatever it takes to</p> <p>3 get them going.</p> <p>4 Did you have anything else?</p> <p>5 MR. WARNER: When you're done,</p> <p>6 Mr. Chairman, and all the board members are done.</p> <p>7 CHAIRMAN SWEENEY: Anybody else,</p> <p>8 anything traffic related?</p> <p>9 I guess that means it's your turn.</p> <p>10 MR. WARNER: Just a couple of quick</p> <p>11 ones, if I may.</p> <p>12 Just for my own edification, maybe</p> <p>13 others, the security guards and/or other people</p> <p>14 you're going to have helping on site with the</p> <p>15 traffic, not the Bridgewater Police and traffic</p> <p>16 safety, do they have any particular expertise,</p> <p>17 experience, qualifications, knowledge, in doing</p> <p>18 what they're doing?</p> <p>19 MR. COSTA: Rao, what's the training</p> <p>20 of your on-site security?</p> <p>21 MR. CHAVA: Yeah, we look at that</p> <p>22 regard, and we hire from company which is</p> <p>23 qualified.</p> <p>24 MR. COSTA: So you are hiring from a</p> <p>25 qualified security company that provides trained</p>
<p style="text-align: right;">94</p> <p>1 concern.</p> <p>2 CHAIRMAN SWEENEY: Excuse me?</p> <p>3 MR. CHAVA: At the traffic light, we</p> <p>4 always plan to have township police.</p> <p>5 CHAIRMAN SWEENEY: Not the -- I'm</p> <p>6 not talking -- yes, and that's great. Terrific.</p> <p>7 Keep doing that. But on site, you need to have</p> <p>8 people doing whatever is necessary to keep</p> <p>9 that -- keep those --</p> <p>10 MR. AVADHANI: Traffic flow, yes.</p> <p>11 MR. CHAVA: We're going to have more</p> <p>12 parking, that makes it move -- people move</p> <p>13 faster.</p> <p>14 MR. COSTA: So I think he's talking</p> <p>15 about, once they move into the --</p> <p>16 MR. AVADHANI: Yes, we will have</p> <p>17 more people.</p> <p>18 MR. COSTA: -- having security</p> <p>19 people --</p> <p>20 MR. AVADHANI: -- guiding traffic,</p> <p>21 yes.</p> <p>22 MR. COSTA: -- how to collect</p> <p>23 through the lane towards the garage.</p> <p>24 CHAIRMAN SWEENEY: Don't count on</p> <p>25 people in their cars doing that for you. Ain't</p>	<p style="text-align: right;">96</p> <p>1 security guards on site?</p> <p>2 MR. CHAVA: That's correct.</p> <p>3 MR. WARNER: Transportation and</p> <p>4 transit oriented, not just security? They have</p> <p>5 experience in transportation, parking, traffic</p> <p>6 management?</p> <p>7 MR. CHAVA: Yeah, we'll look into</p> <p>8 that.</p> <p>9 MR. COSTA: Yeah, we don't -- I</p> <p>10 don't know that they do at this point, but we can</p> <p>11 certainly stipulate that they have that skill</p> <p>12 set.</p> <p>13 MR. WARNER: I'm looking</p> <p>14 prospectively, and I expect the board will</p> <p>15 appreciate that stipulation.</p> <p>16 MR. COSTA: That's fine.</p> <p>17 MR. WARNER: And I guess I'm</p> <p>18 apologizing before I do it, but I noticed a</p> <p>19 couple other F situations turning into a little</p> <p>20 bit better than Fs, if you will. On page 14, the</p> <p>21 Route 202/206 overall goes from a B to an F, but</p> <p>22 with mitigation becomes a C.</p> <p>23 And then, eastbound right-hand turn</p> <p>24 below that on the 2020 no-build Saturday temple</p> <p>25 peak hour goes from a C to an A, but then makes</p>

1 it way to a D with mitigation.  
 2 I take it you're -- correct me if  
 3 I'm wrong, I take it your general testimony would  
 4 be the same as it was with respect to the  
 5 northbound left-hand turn on 2020 no-build  
 6 weekday street peak hour, that the mitigation  
 7 would be -- and changes in the green time on the  
 8 signalization, but in actuality, it's not going  
 9 to be changes, it's going to be handled by  
 10 traffic management, by the Bridgewater Police in  
 11 traffic, as well as on site. Would that be an  
 12 accurate characterization of your testimony for  
 13 those items as well?  
 14 MR. AVADHANI: That's correct.  
 15 MR. WARNER: Nothing further.  
 16 CHAIRMAN SWEENEY: I have one last  
 17 parking-related point. We now know what the five  
 18 days are you're going to be using off-site  
 19 parking for this year. I don't know when, in  
 20 2020, the garage will be finished, but on --  
 21 could you get to us at some point later this  
 22 year, towards the end of this year, or early in  
 23 2020, what the five days may be that year? Just  
 24 in case your garage runs longer than you expect  
 25 it'll take to build it.

1 MR. CHAVA: Okay. Sure.  
 2 MR. WARNER: That would be  
 3 information based on the lunar holiday that would  
 4 already be available. Correct? Lunar calendar,  
 5 excuse me.  
 6 MR. CHAVA: Yeah. Yeah.  
 7 CHAIRMAN SWEENEY: Mr. Costa, you  
 8 had talked about having your -- your planner, at  
 9 this point. Before we do that, I've got a  
 10 question or two for Mr. Chava and Mr. Nagrani.  
 11 Can we handle those now?  
 12 MR. COSTA: No problem, yeah.  
 13 CHAIRMAN SWEENEY: Mr. Avadhani,  
 14 you're off the hook for the moment. Go take your  
 15 seat back in the yard.  
 16 Oh yeah, I'm sorry, I should have  
 17 asked: Does anyone in the public have a question  
 18 for our traffic expert or Mr. Chava about their  
 19 traffic study or traffic management report?  
 20 No response. Okay. Thank you.  
 21 MR. AVADHANI: Thank you.  
 22 MR. COSTA: I believe Nitin has been  
 23 sworn in multiple occasions.  
 24 CHAIRMAN SWEENEY: Yes, that is  
 25 correct.

1 NITIN NAGRANI, having  
 2 been previously sworn, remained under oath and  
 3 testified as follows:  
 4 MR. WARNER: Mr. Nagrani, you  
 5 recognize you remain under oath. Correct?  
 6 MR. NAGRANI: Yes.  
 7 MR. WARNER: And your license  
 8 remains in good standing.  
 9 MR. NAGRANI: Yes.  
 10 MR. WARNER: So the board has no  
 11 reason to not continue to accept you as an expert  
 12 in the field of civil engineering. Correct?  
 13 MR. NAGRANI: Yes.  
 14 CHAIRMAN SWEENEY: Mr. Nagrani, one  
 15 of the issues that was raised at the last hearing  
 16 was about the concerns expressed by the fire  
 17 marshal.  
 18 MR. NAGRANI: Yes.  
 19 CHAIRMAN SWEENEY: Where do you  
 20 stand on that?  
 21 MR. NAGRANI: Actually, I have been  
 22 trying to contact fire marshal, and, actually, I  
 23 got the comments, the review letter, this evening  
 24 at 5 o'clock. So I'm going to work with fire  
 25 marshal and schedule a meeting.

1 So he did mention that we provided  
 2 the fire department connection, which he had  
 3 asked for, but he still wants some kind of  
 4 verification on, like, the access to the garage  
 5 from the back of the building.  
 6 CHAIRMAN SWEENEY: Right.  
 7 MR. NAGRANI: So, really, there's a  
 8 big topo change, grade change, like more than  
 9 10-foot differential from top to the lower level.  
 10 So it's not feasible for me to show a connection  
 11 there. So I will need to discuss with him at a  
 12 meeting, to see what else we could do --  
 13 CHAIRMAN SWEENEY: That's fine. I  
 14 don't need to know the answer, because he's the  
 15 expert; you just need to satisfy him.  
 16 MR. NAGRANI: Yes, of course.  
 17 CHAIRMAN SWEENEY: Okay. Very good.  
 18 A couple of other general  
 19 questions --  
 20 MR. WARNER: Mr. Chairman, if I may,  
 21 to button that one up before we go to the next  
 22 one.  
 23 CHAIRMAN SWEENEY: Sure.  
 24 MR. WARNER: Did you say that a  
 25 report came to you at 5 p.m.?

<p style="text-align: right;">101</p> <p>1 MR. NAGRANI: Yes.</p> <p>2 MR. WARNER: Okay. So to the extent</p> <p>3 that may not have come to one or more of the</p> <p>4 board members and/or professional, I'm seeing</p> <p>5 Mr. Costa has copies --</p> <p>6 MR. COSTA: I do have copies, yes.</p> <p>7 MR. WARNER: We'll make sure we get</p> <p>8 it.</p> <p>9 THE SECRETARY: I just made them for</p> <p>10 him.</p> <p>11 MR. COSTA: Yeah.</p> <p>12 MR. WARNER: Is it safe to assume</p> <p>13 that, if we don't finish this evening, that</p> <p>14 there's a very reasonable expectation you'll be</p> <p>15 able to address those issues in coordination with</p> <p>16 the fire official, and get back to us at the next</p> <p>17 hearing, if we don't finish this hearing?</p> <p>18 MR. NAGRANI: Yes.</p> <p>19 MR. WARNER: Thank you. Nothing</p> <p>20 further.</p> <p>21 CHAIRMAN SWEENEY: Good. Thank you.</p> <p>22 The MOU included a 10-year</p> <p>23 moratorium on future expanding, the 10-year-old</p> <p>24 MOU. I guess this is a question for Mr. Chava</p> <p>25 and anyone else that can answer it: Would you be</p>	<p style="text-align: right;">103</p> <p>1 that the lights on the upper level of the garage</p> <p>2 go off earlier than 10:30? And the only reason I</p> <p>3 bring this up is because those are the lights</p> <p>4 that are most likely to be seen by your neighbors</p> <p>5 on Cedar Brook. Could we say the lights on the</p> <p>6 upper deck of the garage would go off at 8:30,</p> <p>7 except for your special dates when people are on</p> <p>8 site later than -- or as late as 10 p.m.?</p> <p>9 MR. CHAVA: 8:30 at night?</p> <p>10 CHAIRMAN SWEENEY: Excuse me?</p> <p>11 MR. CHAVA: Every night, you said</p> <p>12 8:30?</p> <p>13 CHAIRMAN SWEENEY: 8:30 p.m.</p> <p>14 MR. COSTA: So I think 8:30 on</p> <p>15 weekdays would be fine; on weekends, it would</p> <p>16 be -- weekends and festival days it would be</p> <p>17 10:30, but 8:30 on weekdays would be fine.</p> <p>18 CHAIRMAN SWEENEY: Very good.</p> <p>19 Got that?</p> <p>20 MR. WARNER: I'm getting them all.</p> <p>21 MR. COSTA: And that's in the -- I</p> <p>22 think that's in the traffic management report as</p> <p>23 well, and was in the last transcript.</p> <p>24 MR. WARNER: Belt and suspenders.</p> <p>25 CHAIRMAN SWEENEY: Okay. I have no</p>
<p style="text-align: right;">102</p> <p>1 willing to entertain a similar moratorium on</p> <p>2 additional expansion at this point in time?</p> <p>3 MR. CHAVA: Sure.</p> <p>4 CHAIRMAN SWEENEY: Similar to the</p> <p>5 one that was signed -- agreed to, rather, 10</p> <p>6 years ago?</p> <p>7 MR. CHAVA: Yes.</p> <p>8 CHAIRMAN SWEENEY: Okay. Thank you.</p> <p>9 MR. WARNER: If I may, for</p> <p>10 clarification, is that a stipulation to such an</p> <p>11 agreement for that same period of time?</p> <p>12 MR. CHAVA: Yes.</p> <p>13 MR. COSTA: Can I -- I don't object</p> <p>14 to that in concept, but there's some nuance to</p> <p>15 that restriction that I'd want to discuss with my</p> <p>16 client before we just put it on the record. So</p> <p>17 it's certainly something we can look into, but</p> <p>18 there were issues with that, in terms of if any</p> <p>19 additional property was purchased, it wasn't just</p> <p>20 the restriction. So I'd want to talk about that</p> <p>21 further with him, and then we can address that.</p> <p>22 CHAIRMAN SWEENEY: Okay. Very good.</p> <p>23 MR. WARNER: I think that's prudent.</p> <p>24 CHAIRMAN SWEENEY: That's excellent.</p> <p>25 Would it be possible to make sure</p>	<p style="text-align: right;">104</p> <p>1 additional questions at this point, so take us</p> <p>2 wherever you would like to.</p> <p>3 MR. COSTA: Okay. If I could take a</p> <p>4 five-minute break, and have a conversation with</p> <p>5 my client, I would appreciate it.</p> <p>6 MR. WARNER: Just for the formality,</p> <p>7 perhaps we could open the discussion --</p> <p>8 CHAIRMAN SWEENEY: Oh, I'm sorry, I</p> <p>9 appreciate your prompting my ignorance of all</p> <p>10 this administrivia.</p> <p>11 Anyone in the public have a question</p> <p>12 for Mr. Chava or Mr. Nagrani about their most</p> <p>13 recent testimony?</p> <p>14 No response.</p> <p>15 Okay. Five minutes, Counselor.</p> <p>16 MR. COSTA: Good. Thank you.</p> <p>17 CHAIRMAN SWEENEY: Thank you.</p> <p>18 (Whereupon, there is a brief pause</p> <p>19 in the proceeding.)</p> <p>20 CHAIRMAN SWEENEY: Jackie, will you</p> <p>21 once again call attendance, roll call, please?</p> <p>22 THE SECRETARY: Mrs. Amin?</p> <p>23 COMMISSIONER AMIN: Here.</p> <p>24 THE SECRETARY: Mr. Humenick?</p> <p>25 COMMISSIONER HUMENICK: Here.</p>

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1 THE SECRETARY: Mr. Fross?

2 COMMISSIONER FROSS: Here.

3 THE SECRETARY: Chairman Sweeney?

4 CHAIRMAN SWEENEY: Here.

5 THE SECRETARY: Mr. Weideli?

6 COMMISSIONER WEIDELI: Here.

7 THE SECRETARY: Ms. Guttschall?

8 COMMISSIONER GUTTSCHALL: Here.

9 THE SECRETARY: Mr. Foose?

10 COMMISSIONER FOOSE: Here.

11 THE SECRETARY: Mr. Ahearn?

12 COMMISSIONER AHEARN: Here.

13 CHAIRMAN SWEENEY: Counselor, please

14 proceed.

15 MR. COSTA: Okay. Thank you. Our

16 next witness this evening is Barbara Ehlen from

17 Beacon Planning, she is our planner.

18 And Ms. Ehlen, can you give us the

19 benefit of your education background, and

20 professional licenses, and appearances before

21 other boards, please?

22 MR. WARNER: After we confirm that I

23 previously sworn you in.

24 CHAIRMAN SWEENEY: No, I don't think

25 so.

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1 BARBARA EHLEN, having

2 been duly sworn, testified as follows:

3 MR. WARNER: Thank you, please

4 proceed. Name and address, business address is

5 fine, for the record.

6 MS. EHLEN: My name is Barbara

7 Ehlen. My last name is E-H-L-E-N. I'm a

8 licensed professional planner in the state of New

9 Jersey, and an AICP. I've worked for Beacon

10 Planning since 2008, and I've worked my way up

11 all the way to project manager. I've been

12 recognized as a professional planner by numerous

13 boards, including Neptune City, Ocean Township,

14 Long Branch, Carteret, Red Bank, Holmdel,

15 Berkley, Loch Arbour, West Long Branch, Jackson,

16 Jamesburg.

17 MR. WARNER: And your license

18 remains in good standing this evening?

19 MS. EHLEN: Yes, it does.

20 MR. WARNER: And the business

21 address at beacon?

22 MS. EHLEN: Is 315 Route 34, Suite

23 129, Colts Neck, New Jersey.

24 MR. WARNER: Unless you have

25 anything further, I defer to the board, if they

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1 wish to accept you as a professional planner.

2 CHAIRMAN SWEENEY: Any questions

3 from the board about her qualifications or

4 background?

5 None. Please proceed.

6 MS. EHLEN: Thank you.

7 **A. This evening, as I'm sure we've**

8 **heard plenty of testimony about, we are**

9 **proposing the parking deck at the subject**

10 **property. The property is located in the R-50**

11 **residential zone, which does conditionally**

12 **permit houses of worship. So the use is**

13 **conditionally permitted within the zone. The**

14 **temple recently acquired additional property,**

15 **and is seeking to obviously construct**

16 **supplemental parking.**

17 **What's interesting about the**

18 **application this evening is, though we have**

19 **centered on the parking garage -- and I am not**

20 **diminishing its importance -- the variances are**

21 **actually triggered by the existing homes. So**

22 **the parking garage itself doesn't trigger the**

23 **request for a D variance, it's actually the**

24 **existing homes that do.**

25 **So I want to just walk through --**

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1 **with the exception -- two small exceptions,**

2 **which is the minimum lot area and the FAR. So**

3 **minimum lot area is 1,779,220 square feet**

4 **required, where 1,329,693 square feet is**

5 **proposed, which is actually an increase over the**

6 **previously approved 1,065,913.**

7 **Q. So that is a decrease in --**

8 MR. WARNER: May I ask a question on

9 that: Is the lot area, then -- in your opinion,

10 is a lot area variance required, if you've been

11 previously approved for a lower lot area?

12 MS. EHLEN: We always restate them,

13 but in this case, it would be an improvement to

14 an existing condition. So I don't believe it

15 would be a variance.

16 BY MR. COSTA:

17 **Q. So the variance is actually reduced**

18 **from the previously --**

19 **A. The variance is actually reduced**

20 **from what was previously --**

21 MR. WARNER: In your professional

22 planning opinion, the variance is not required.

23 Is that correct?

24 MS. EHLEN: Yes.

25 MR. WARNER: And, Counsel, from a

<p style="text-align: right;">109</p> <p>1 legal opinion, do you concur?</p> <p>2 MR. COSTA: Yes, I agree.</p> <p>3 MR. WARNER: So on behalf of the</p> <p>4 applicant, are you asking for the variance or are</p> <p>5 you not asking for the variance?</p> <p>6 MR. COSTA: We ask for the variance</p> <p>7 to belt and suspenders.</p> <p>8 MR. WARNER: Okay. And that's a C</p> <p>9 variance, bulk variance. Correct?</p> <p>10 MS. EHLEN: That is actually -- I</p> <p>11 believe it's part of the stipulation as a</p> <p>12 conditional, so it's part of the D variance.</p> <p>13 MR. WARNER: So then it's one of the</p> <p>14 multiple conditions, if there's a deviation from</p> <p>15 which, that triggers the d(3) conditional use --</p> <p>16 nonconforming conditional use variance. Is that</p> <p>17 correct?</p> <p>18 MS. EHLEN: That is correct.</p> <p>19 <b>A. We are also seeking a FAR, floor</b></p> <p>20 <b>area ratio variance: 0.05 is permitted, where</b></p> <p>21 <b>0.081 exists, and 0.077 is proposed. So, again,</b></p> <p>22 <b>we are improving an existing condition.</b></p> <p>23 MR. WARNER: But, again, with the</p> <p>24 same analysis or colloquy, without it, you're</p> <p>25 asking for the floor area ratio variance from</p>	<p style="text-align: right;">111</p> <p>1 MR. WARNER: It doesn't have to be</p> <p>2 marked as an exhibit.</p> <p>3 MS. EHLEN: Okay.</p> <p>4 <b>A. So I just want to walk through,</b></p> <p>5 <b>because it's a little bit confusing when I start</b></p> <p>6 <b>talking about different lots.</b></p> <p>7 <b>All right. So our minimum side</b></p> <p>8 <b>yard setback, 50 feet is required, where 7.41</b></p> <p>9 <b>feet exists and is proposed to remain to</b></p> <p>10 <b>dwelling on Lot 5. So that's the bottom left</b></p> <p>11 <b>dwelling on the subdivision.</b></p> <p>12 CHAIRMAN SWEENEY: Could you orient</p> <p>13 us, is that Old Farm Road along the top of your</p> <p>14 chart --</p> <p>15 MS. EHLEN: Yes, Old Farm --</p> <p>16 CHAIRMAN SWEENEY: -- and is that</p> <p>17 Cedar Brook that you were just now pointing to a</p> <p>18 lot on, Cedar Brook, Lot 5?</p> <p>19 MS. EHLEN: Yes, Lot 5 is on Cedar</p> <p>20 Brook Road.</p> <p>21 CHAIRMAN SWEENEY: Thank you.</p> <p>22 <b>A. Also Lot 2, which is along Old Farm</b></p> <p>23 <b>Road, here in the top left portion, that's</b></p> <p>24 <b>required to have a 50-foot side yard setback,</b></p> <p>25 <b>where 26.6 feet exists and is proposed.</b></p>
<p style="text-align: right;">110</p> <p>1 this board, notwithstanding the fact that you</p> <p>2 previously received approval for a floor area</p> <p>3 ratio that was greater?</p> <p>4 MS. EHLEN: Correct.</p> <p>5 MR. WARNER: Okay. And the floor</p> <p>6 area ratio is under a slightly different</p> <p>7 standard, the d(4) standard of the Randolph Town</p> <p>8 Center case. Correct? Well, it's a d(4) for</p> <p>9 floor area ratio, not a d(3). Correct?</p> <p>10 MR. COSTA: Correct.</p> <p>11 MS. EHLEN: Correct.</p> <p>12 MR. WARNER: Okay. Thank you.</p> <p>13 <b>A. All right. So I would just like to</b></p> <p>14 <b>quickly go through what the bulk variances</b></p> <p>15 <b>are -- or d(3), in this case -- relating to the</b></p> <p>16 <b>existing structures. For that, I've borrowed</b></p> <p>17 <b>the preliminary and final major subdivision and</b></p> <p>18 <b>lot consolidation plot prepared by Matrix New</b></p> <p>19 <b>World, and dated with revisions through March 1,</b></p> <p>20 <b>2019.</b></p> <p>21 MR. WARNER: And that's more than 10</p> <p>22 days in advance of this evening, and it hasn't</p> <p>23 changed. Correct? That's what was submitted to</p> <p>24 the board?</p> <p>25 MS. EHLEN: Correct.</p>	<p style="text-align: right;">112</p> <p>1 <b>And then, on Lot 3, which is also</b></p> <p>2 <b>along Cedar Brook Road, 50 feet is required,</b></p> <p>3 <b>where 42.5 feet exists and is proposed to</b></p> <p>4 <b>remain.</b></p> <p>5 <b>Minimum total of two side yard</b></p> <p>6 <b>setbacks: 70 feet required, where 34.01 exists</b></p> <p>7 <b>and is proposed to remain. That's on Lot 2 --</b></p> <p>8 <b>again, up here -- and Lot 5, along Cedar Brook</b></p> <p>9 <b>Road.</b></p> <p>10 MR. WARNER: That's the combined</p> <p>11 side yard setback. Correct?</p> <p>12 MS. EHLEN: That's combined.</p> <p>13 MR. WARNER: Those two?</p> <p>14 MS. EHLEN: Those two.</p> <p>15 <b>A. Minimum front yard setback, 75 feet</b></p> <p>16 <b>required, where 71.9 exists, and is proposed to</b></p> <p>17 <b>remain. That's on Lot 2.</b></p> <p>18 <b>And lot width, 200 feet required,</b></p> <p>19 <b>where 67.2 exists and is proposed for Lot 2,</b></p> <p>20 <b>over here, though I will note, once the lot's</b></p> <p>21 <b>consolidated, that variance will disappear.</b></p> <p>22 <b>The applicant is also requesting</b></p> <p>23 <b>the following waivers --</b></p> <p>24 MR. WARNER: I'm sorry, is there</p> <p>25 also a lot width variance for Lot 2: 67.2 feet</p>

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1 versus, I guess, 200 feet?

2 MS. EHLEN: Yes, I just discussed

3 and said that we were requesting that one, but

4 upon consolidation --

5 MR. WARNER: Okay. That's what you

6 were referring to?

7 MS. EHLEN: Yeah, it will disappear.

8 MR. WARNER: So if I may, we have a

9 lot width; we have the FAR, floor area ratio; we

10 have the combined side yard setback for Lots 2

11 and 5; we have minimum one side yard setback for

12 Lot 3, for Lot 2, and for Lot 5; and we have a

13 minimum front yard setback for Lot 2; and we have

14 a lot area for the entirety of the site.

15 MS. EHLEN: Mm-hmm.

16 MR. WARNER: And are those all the

17 bulk variances, before we get into the fact that

18 some of them relate to conditions that require a

19 conditional use variance? Those are all the bulk

20 variances, the C variances?

21 MS. EHLEN: Yes, but those will all

22 be --

23 MR. WARNER: Some of them are

24 conditions of the use which also require you to

25 get a d(3) conditional use variance. Correct?

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1 MS. EHLEN: Yes, those are the ones

2 that trigger the d(3).

3 MR. WARNER: The FAR is also a d(3)

4 variance as well. Correct?

5 MR. COSTA: Correct.

6 MR. WARNER: And in addition to the

7 variances, you're asking for relief of

8 preliminary and final major site plan. Correct?

9 Approval. Correct?

10 MS. EHLEN: Yes.

11 MR. COSTA: Correct, yes, and

12 subdivision.

13 MR. WARNER: I will get there, thank

14 you.

15 And you're also asking for

16 preliminary and final major subdivision approval;

17 by "subdivision," I mean by way of lot

18 consolidation or merger, as opposed to

19 subdivision, but they're both, for the benefit of

20 the board and members of the public, when you

21 have a lot consolidation, it's viewed as a

22 subdivision, even though you're not dividing the

23 lots further; in fact, you're doing the reverse,

24 you're consolidating or merging them.

25 But that's a -- so you're also

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1 seeking preliminary and final major subdivision

2 relief as well. Correct?

3 MR. COSTA: That is correct.

4 MR. WARNER: Thank you. And that

5 gets us moving on to the waivers.

6 BY MR. COSTA:

7 Q. Barbara, I'm just going to ask you

8 a couple questions on the variances. If you

9 could just go through them just quickly, and

10 explain to the board which ones are caused by

11 this application, and which ones are either

12 reduced or unchanged?

13 And I think we addressed the first

14 two, minimum lot area, that variance is actually

15 reduced, because more lot area was acquired with

16 the three additional lots?

17 FAR is slightly reduced, but I

18 believe that was just a rounding correction. So

19 FAR was previously -- or is currently 0.081, and

20 now it's going to be 0.077. So that was

21 reduced --

22 MR. WARNER: Excuse me, if I could

23 ask you on that one, are you certain that was a

24 rounding error?

25 MR. COSTA: No, I'm not. I'm going

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1 to --

2 MR. WARNER: Mr. Costa, might it

3 instead have been the result of increasing the

4 lot area, and also increasing the floor area by

5 way of at least continuing the community center

6 that is no longer proposed to be eliminated, but

7 that the net result was you were adding that much

8 more in lot area, as opposed to the increase in

9 the floor area from the community center; that,

10 proportionately, you are actually bringing the

11 floor area ratio down? Might it have been that?

12 MR. COSTA: It very definitely was

13 that, and I was thinking of a different one that

14 was a rounding situation. So thank you for the

15 clarification on that. So that's also a

16 reduction.

17 BY MR. COSTA:

18 Q. If we look at the setbacks, the

19 50-foot setback requirement, and we have Lot 5,

20 which is one of the newly acquired lots, can you

21 explain why we now have a variance required for

22 the 7.41-foot variance on that lot?

23 A. Yes. So this is an existing

24 condition; it's just due to the consolidation of

25 the lots that -- and proposed use as clergy

1 housing, but these now become, for lack of a  
2 better term, like, renewed. So although they're  
3 existing conditions that, pursuant to tax  
4 records, were probably established in the '50s  
5 and '60s, just due to the application and how  
6 the lots were reconsolidated, it's been trigged  
7 again.

8 Q. So we are not changing these  
9 houses; in fact, when the neighbor -- If this  
10 garage is built, the neighbor's going to look at  
11 their neighbor's house, and it's going to be in  
12 the same place and look at the same, as it did  
13 prior to the approval of this application;  
14 however, because these houses are now part of a  
15 temple property, a 50-foot setback variance is  
16 now triggered. Is that correct?

17 A. Correct.

18 MR. WARNER: In fact, would it be  
19 correct that some of those -- or all of the  
20 residences, with respect to the lots that are  
21 proposed to become part of the temple property,  
22 will be -- the residents will be temple clergy  
23 and/or their family.

24 MR. COSTA: Correct, so they will  
25 be -- they will continue their residential use.

1 MS. EHLEN: Yeah, no changes are  
2 proposed to the footprints of the homes, or their  
3 character as residential, they'll continue to be  
4 used, but in this case for clergy and their  
5 families.

6 BY MR. COSTA:

7 Q. That's all I have.

8 A. Okay. So moving on to waivers, the  
9 board planner had noted that we -- there was a  
10 requirement for bike racks, which are not being  
11 proposed, although I do note that, at the  
12 current clergy housing on the current site,  
13 there is -- there are bike racks provided.

14 There's also a waiver for  
15 development within 50 feet of the flood hazard  
16 area, which was previously discussed, and the  
17 applicant is improving, by removing the proposed  
18 trash compactor from that area.

19 MR. WARNER: I'm sorry, removing the  
20 what?

21 MS. EHLEN: The trash compactor.

22 CHAIRMAN SWEENEY: That doesn't --  
23 that doesn't eliminate that violation, though.

24 MS. EHLEN: No, it doesn't, but it  
25 reduces it.

1 MR. WARNER: There's still a corner  
2 of the parking deck that's still encroaching.  
3 Correct?

4 MS. EHLEN: Correct.

5 MR. COSTA: It's really more a  
6 corner of the very crooked flood hazard area that  
7 is encroaching on a straight section of the  
8 parking deck. That's really -- it's not like  
9 there's a corner we can move. The flood hazard  
10 area zigzags a little bit.

11 MR. WARNER: There's an old  
12 commercial, you got your chocolate in my peanut  
13 butter.

14 In any event...

15 MS. EHLEN: I'm going to actually  
16 roll with that.

17 A. And then, we also note a waiver for  
18 parking stall size, where 9.5 feet by 18 is  
19 required, and 9 feet by 18 feet is proposed at  
20 the parking.

21 Were there any other questions up  
22 until this point?

23 MR. WARNER: If I may, was there one  
24 other exception, waiver for location of all  
25 buildings and structures, et cetera, within 500

1 feet of a right-of-way? I don't know -- I'm not  
2 saying that is or is not one, I'm just asking at  
3 this point.

4 MS. EHLEN: I noted that one as  
5 well, I'm sorry.

6 MR. WARNER: That's also a waiver?

7 MS. EHLEN: Yes.

8 MR. WARNER: And there were several  
9 other waivers, if I recall correctly, with  
10 respect to landscaping and lighting, that were,  
11 at least initially, requested, and set forth in  
12 Scarlett Doyle's various memos. But have all  
13 those others, in your -- is it your contention  
14 that all those have been eliminated as a result  
15 of stipulations by the applicant and/or other  
16 modifications?

17 MS. EHLEN: Yes, during prior  
18 testimony, they were addressed, and the applicant  
19 agreed to work with the planner to address same.

20 MR. WARNER: So we're down to just  
21 four, by your count, is that correct, four  
22 waivers?

23 MS. EHLEN: Yes.

24 MR. WARNER: Thank you.

25 A. All right. So the current



<p style="text-align: right;">121</p> <p>1 configuration of the parcel is actually as a  2 result of several development applications over  3 the years. It was originally purchased by the  4 temple in 1992, and in 1995, the temple obtained  5 approval to construct a new -- a new -- a  6 temple.</p> <p>7           In 2002, the temple obtained  8 approval to construction paved parking.</p> <p>9           And in 2009, the temple obtained  10 approval to expand the temple, the cultural  11 center, and the on-site parking.</p> <p>12           The latest approval was a result of  13 the settlement with the community and the temple  14 over an RLUIPA claim.</p> <p>15           The current application seeks to  16 construct additional parking on site, as well as  17 retain the community center. As we know,  18 they're proposing to construct a two-level  19 parking deck, the first level being equal with  20 what is currently there, and then expanding  21 below, to a second level beneath.</p> <p>22           The deck will only be accessible  23 from the temple site. Separate access from  24 Cedar Brook Road will not be provided. Neither  25 vehicular nor pedestrian access will be provided</p>	<p style="text-align: right;">123</p> <p>1 everyone is waiting for that busing, so we're  2 having pedestrians walk along a major highway to  3 get to the temple, and this impediment has led  4 to this unsafe condition of pedestrians walking,  5 but also it limits people's ability to actually  6 get to the temple and worship. So we're  7 impinging on their religion to actually get  8 there and participate.</p> <p>9           With the current configuration,  10 except for New Year's, people may arrive on  11 site, go circulate looking for parking, then  12 leave. So it's creating, kind of, like, a  13 double. They come, they search, they go, and  14 they go park off site. In this manner, as  15 stated by the traffic engineer, we're hoping to  16 capture everyone on site throughout the majority  17 of the year, with the exception of New Year's.  18 So this circulation is causing unnecessary  19 traffic, when it can be captured on site.</p> <p>20           So in order to accommodate the  21 proposed parking, the temple has purchased the  22 adjoining residential lots. As I'd mentioned,  23 the single-family homes on these lots will  24 remain unchanged, and be utilized as housing for  25 the clergy.</p>
<p style="text-align: right;">122</p> <p>1 from Cedar Brook Road.</p> <p>2           As we've had extensive testimony on  3 it before, the visual intrusion of the deck will  4 be mitigated.</p> <p>5           First, from the existing tree lines  6 that are proposed to remain, there is -- there  7 will be a few isolated locations that were  8 previously identified where the deck will be  9 partially visible, but they will be providing  10 plantings at those points as well.</p> <p>11           We've also added the glass  12 panelling, to help, kind of, diminish the impact  13 of the view of the deck.</p> <p>14           Lighting will also have -- be  15 appropriately scaled, and also they're proposing  16 light caps, if needed, to further shield the  17 lighting.</p> <p>18           And, also, not least of which, the  19 single-family homes, which will be -- which will  20 remain, and also help shield the deck.</p> <p>21           The application is proposing to  22 construct the parking in response to an  23 identified need. So outside of New Year's, we  24 understand that people are parking off site and  25 being bused in. At this point, at some -- not</p>	<p style="text-align: right;">124</p> <p>1           Before going back into the  2 variances, I just want to take a brief look into  3 your master plan. Looking at the 1990 master  4 plan, stated goals and objectives include:</p> <p>5           To promote a balanced variety of  6 residential, recreational, public, commercial,  7 industrial, conservation land uses. The land  8 use element includes the policy of preserving  9 and maintaining the integrity of existing  10 residential areas, and seeks to accomplish same  11 by preventing the inclusion of incompatible  12 nonresidential land uses into residential  13 neighborhoods, and by assuring the compatibility  14 of adjacent land uses.</p> <p>15           The applicant is seeking to  16 maintain the residential character of this area.  17 As I said, they are maintaining the  18 single-family homes; they are not proposing any  19 connection between Cedar Brook and the temple.</p> <p>20           And the parking deck itself is  21 shielded, as I said, by existing treelines, by  22 proposed landscaping, and by the residential  23 homes themselves. And if it were visible, the  24 appearance has been softened by adding glass  25 panels, and by trying to reduce the light</p>

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1 impacts to any adjoining neighbors.

2 The circulation plan element of the

3 master plan encourages the safe pathways for

4 pedestrians. And as I've mentioned, we have

5 pedestrians walking along the highway corridor,

6 which is not where we want them to be on any day

7 of the year.

8 Under the community's facilities

9 plan element, there's a policy to provide

10 facilities for community groups and cultural

11 activities. That's what this is about. It's

12 about a religion; it's also about their culture.

13 The February 8, 2011 re-examination

14 report specifically discusses the impacts of

15 houses of worship on residential communities --

16 MR. WARNER: I'm sorry, that

17 re-examination report was what year?

18 MS. EHLEN: February 8, 2011.

19 MR. WARNER: Okay. So now we're up

20 to the -- okay, the master plan re-examination

21 report of 2011.

22 MS. EHLEN: Yes.

23 MR. WARNER: Okay. And is that the

24 most recent?

25 MS. EHLEN: I believe so; I'd have

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1 to double check.

2 A. It notes that houses of worship may

3 serve the residents of the county, or even a

4 larger region, and that services have expanded

5 to include such things as social and cultural

6 festivals, schools, and community centers.

7 Part of the recommendations include

8 that, were it located in a residential zone,

9 houses of worship have principle access from a

10 state highway, a county roadway, or from a

11 specific list of roadways. The temple complies

12 with this standard.

13 We can also turn to the Municipal

14 Land Use Laws to find special reasons, which I

15 would argue would include:

16 A, to encourage municipal action to

17 guide the appropriate use or development of all

18 lands in this state in a manner which will

19 promote the public health, safety, morals, and

20 general welfare.

21 It is important to note that

22 religious uses are often viewed as inherently

23 beneficial, because they promote the general

24 welfare.

25 Additionally, as described, the

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1 parishioners are walking along the highway

2 corridor, so the proposed consolidation of

3 people on site will help eliminate this unsafe

4 condition.

5 MR. WARNER: Mr. Chairman, if I may,

6 the special reasons analysis you're referring to,

7 that's for the D variance relief?

8 MS. EHLEN: We also -- generally,

9 when we're talking about variance in general, we

10 like to support ours with special reasons from

11 the Municipal Land Use Law.

12 MR. WARNER: Advancing the purposes

13 of the Municipal Land Use Law, under Section 2 of

14 the MLUL?

15 MS. EHLEN: Yes, so we want to -- we

16 buttress them even if it's a use variance. Or

17 even in it's a bulk, we like to bring out --

18 after with our discussion with --

19 MR. WARNER: Right now, you're on

20 the bulk variances.

21 MS. EHLEN: No, I'm about to dive

22 back into them, but at first I like to go through

23 the master plan and the Municipal Land Use Law,

24 just to kind of establish a little bit of a

25 background.

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1 MR. WARNER: Okay. Thank you.

2 BY MR. COSTA:

3 Q. So you are identifying the special

4 reasons that --

5 A. Yes.

6 Q. -- support this application?

7 All right. Thank you.

8 A. And then I would also argue G, to

9 provide sufficient space in appropriate

10 locations for a variety of agricultural,

11 residential, recreational, commercial, and

12 industrial uses, and open space, both private

13 and public, according to their respective

14 environmental requirements, in order to meet the

15 needs of all New Jersey citizens.

16 And M, to encourage coordination

17 with the various public and private procedures

18 and activities shaping the land development with

19 a view of lessening the cost of such

20 development, and to the more efficient use of

21 land.

22 So, in both these cases, I would

23 say that, conditionally, the use is permitted

24 within the zone; so it was anticipated. And now

25 they're proposing to utilize that space in an

1 efficient manner to consolidate their parking.  
2 So now I'd like to go on to the use  
3 variance. We are seeking a d(3) variance, which  
4 I'll go to in a little bit more detail in just a  
5 moment.

6 This is the opportunity -- the  
7 opportune time to discuss the use in context  
8 with the community. While this does not  
9 necessarily -- this is not necessarily an aspect  
10 of the variance test, it does put the  
11 application into context.

12 The New Jersey legislature has  
13 recognized that some uses are inherently  
14 beneficial in nature and deserve special  
15 treatment; thus, N.J.S.A. 40:55D-4 defines an  
16 inherently beneficial use as a use which  
17 universally is considered a value to the  
18 community, because the use fundamentally serves  
19 the public good and promotes the general  
20 welfare. There is no dispute that a use such as  
21 a temple qualifies as inherently beneficial.

22 When reviewing this application, we  
23 must also consider the unique nature of a use,  
24 where a religious use is also afforded  
25 protections under the Religious Land Use and

1 Institutional Persons Act of 2000, RLUIPA. The  
2 temple is just such a use, and is protected by  
3 federal law.

4 When reviewing an issue related to  
5 conditional -- the conditional in the context of  
6 a D variance, we actually turn to Coventry  
7 Square versus Westwood, and not Medici. The  
8 issue is whether or not the law can accommodate  
9 the deviation. In essence, the Coventry  
10 standard shifts the focus of the negative  
11 criteria away from the impact of the use, to the  
12 impact of the deviation. So we're not looking  
13 at the use itself; we're looking at the  
14 deviation from the standards.

15 MR. WARNER: If I may, just for  
16 clarification, those are the conditions that make  
17 this a conditional use, and not a non-permitted  
18 use. It is a permitted use, so long as it meets  
19 certain conditions, and there are a few  
20 conditions under the ordinance that it does not  
21 specifically meet; it deviates from. Correct?

22 MS. EHLEN: Correct.

23 MR. WARNER: So the board is to  
24 focus on those deviations, and not on the use as  
25 a whole. Correct?

1 MS. EHLEN: Correct.

2 MR. WARNER: And then the board does  
3 not -- you are not subject to the enhanced  
4 quality of proof under the Medici case; the board  
5 -- you are not required to show, on the negative  
6 criteria, the reconciliation with why is this use  
7 a -- not listed as a permitted use, you're not  
8 required to show that. Correct?

9 MS. EHLEN: Correct.

10 A. So, in 2009, a 27.5-foot side yard  
11 setback was approved, where 50 was required, for  
12 an existing single-family residence on Lot  
13 12.02. The residence was to remain a  
14 single-family dwelling and be utilized as clergy  
15 housing. For these reasons, the preexisting  
16 nature of the deviation, and the continued use  
17 of the dwelling as a home, the township granted  
18 the variance.

19 The same situation applies to the  
20 current application. The requested conditional  
21 use variance of the setbacks associated with the  
22 existing single-family homes on Lots 2, 3, and  
23 5, these, as discussed, were all existing  
24 conditions, and no modification to these  
25 setbacks are proposed. The homes will remain as

1 they currently are configured, and as was  
2 established in the 1950s and '60; they will  
3 continue to be used as residential homes.

4 As the 50-foot side yard setback is  
5 coordinated into the township's conditional for  
6 houses of worship, a D variance is required. As  
7 I said previously, these homes have existed,  
8 it's just that the incorporation into the parcel  
9 owned by the house of worship that triggers the  
10 need for a d(3) variance in connection with  
11 these homes.

12 As we've also discussed, the  
13 current FAR, the applicant is proposing to  
14 reduce the previously permitted 0.081.

15 MR. WARNER: I'm sorry, before you  
16 get to the FAR variance, if I may, did you cover  
17 all the conditions that are deviated with respect  
18 to the d(3) conditional use variance?

19 MS. EHLEN: The d(3), yes -- well,  
20 we've discussed -- the d(3) use variance is  
21 actually triggered by the minimum side yard  
22 setbacks associated with Lots 5 -- 2, 3, and 5.

23 MR. WARNER: Correct.

24 MS. EHLEN: The combined setbacks  
25 associated with Lots 2 and 5.

<p style="text-align: right;">133</p> <p>1 MR. WARNER: Correct.</p> <p>2 MS. EHLEN: The minimum front yard</p> <p>3 setback associated with Lot 2.</p> <p>4 MR. WARNER: Correct.</p> <p>5 MS. EHLEN: And the lot width</p> <p>6 associated with Lot 2.</p> <p>7 MR. WARNER: Okay. If I may, is it</p> <p>8 factually correct that all of those deviations</p> <p>9 already exist?</p> <p>10 MS. EHLEN: Yes.</p> <p>11 MR. WARNER: Okay. And is part of</p> <p>12 your argument, then, that the site -- under the</p> <p>13 Coventry Square standard, that the site can</p> <p>14 accommodate the problems associated with the</p> <p>15 deviation of the conditions, is part of your</p> <p>16 argument that -- or your contention that the site</p> <p>17 is already accommodating those conditions?</p> <p>18 MS. EHLEN: Yes, these conditions</p> <p>19 were established, as I said, in the '50s and</p> <p>20 '60s, and the neighborhood has -- has grown</p> <p>21 around them and accommodated them.</p> <p>22 MR. WARNER: Thank you.</p> <p>23 <b>A. In this instance, additionally,</b></p> <p>24 <b>we're asking for a floor area ratio, though we</b></p> <p>25 <b>are reducing the existing condition from 0.081</b></p>	<p style="text-align: right;">135</p> <p>1 with respect to the deviation of the conditions</p> <p>2 of the d(3). Correct?</p> <p>3 MS. EHLEN: Correct.</p> <p>4 MR. WARNER: And assuming, arguendo,</p> <p>5 that the legal standard, or d(4), floor area</p> <p>6 ratio variance, was the same Coventry Square</p> <p>7 standard, hypothetically, if that were the case</p> <p>8 under the Randolph Town Center decision, that</p> <p>9 would jive with your testimony. Correct?</p> <p>10 MS. EHLEN: That is correct.</p> <p>11 MR. WARNER: Thank you.</p> <p>12 <b>A. So, again, I would like to mention</b></p> <p>13 <b>that the actual parking deck itself does not</b></p> <p>14 <b>trigger any variances or violate any conditional</b></p> <p>15 <b>use standards.</b></p> <p>16 <b>So with regards to negative</b></p> <p>17 <b>criteria, we've had a pretty big discussion</b></p> <p>18 <b>about it so far, and the town -- and the temple</b></p> <p>19 <b>has worked with the town to establish additional</b></p> <p>20 <b>landscaping, to soften the appearance of the</b></p> <p>21 <b>garage, and will continue to work with the board</b></p> <p>22 <b>on establishing traffic contingency plans.</b></p> <p>23 <b>So, again, under Coventry, the</b></p> <p>24 <b>detriment is examining the impact of the</b></p> <p>25 <b>deviation, which, again, was the setbacks, and</b></p>
<p style="text-align: right;">134</p> <p>1 <b>to 0.077.</b></p> <p>2 <b>I would like to note, at this time,</b></p> <p>3 <b>that the proposed development is actually</b></p> <p>4 <b>substantially below lot coverage, 15 percent</b></p> <p>5 <b>permitted, where 5.55 percent is proposed, and</b></p> <p>6 <b>impervious coverage standards, 50 percent</b></p> <p>7 <b>permitted, where 33.18 percent is proposed. So</b></p> <p>8 <b>I would argue that the site is not being</b></p> <p>9 <b>overdeveloped; it's just that this is -- it's</b></p> <p>10 <b>being triggered not by the parking garage</b></p> <p>11 <b>itself, but by retaining the former smaller</b></p> <p>12 <b>temple as a community center used for classes</b></p> <p>13 <b>and such.</b></p> <p>14 MR. WARNER: Before you leave the</p> <p>15 floor area ratio, if I may, the -- would it be</p> <p>16 your testimony that the -- or would it be your</p> <p>17 expert opinion that the -- as a professional</p> <p>18 planner -- that the site can accommodate the</p> <p>19 floor area ratio greater than 0.05, at 0.077,</p> <p>20 which, itself, is less than what was previously</p> <p>21 approved, 0.081.</p> <p>22 MS. EHLEN: Yes, I would argue that</p> <p>23 it can accommodate it, since it was previously</p> <p>24 found to be able to accommodate 0.081.</p> <p>25 MR. WARNER: Same type of analysis</p>	<p style="text-align: right;">136</p> <p>1 not the parking deck.</p> <p>2 In connection with the parking</p> <p>3 deck, we discussed how the visual intrusions</p> <p>4 will be limited; how the facade has been</p> <p>5 softened; how lighting will not present an</p> <p>6 impact to the residential neighbors.</p> <p>7 We also must satisfy the burden of</p> <p>8 granting this relief will not have a detrimental</p> <p>9 impact on Bridgewater's zoning ordinance and</p> <p>10 master plan.</p> <p>11 So the master plan and the</p> <p>12 re-examination report have anticipated this use,</p> <p>13 particularly the re-examination report. It</p> <p>14 said, you know, when a -- sorry, when a house of</p> <p>15 worship is located within a residential zone, it</p> <p>16 should be fronting along the major roadway, and</p> <p>17 should limit the impacts to the residential</p> <p>18 areas, and that is exactly what the applicant is</p> <p>19 proposing with this application. All traffic</p> <p>20 will continue to come through the highway. No</p> <p>21 traffic is proposed along Old Farm Road or Cedar</p> <p>22 Brook Road. So they are following the basis of</p> <p>23 your master plan and zoning ordinances.</p> <p>24 The only deviations are those for</p> <p>25 existing structures, and those structures are</p>

<p style="text-align: right;">137</p> <p>1 residential homes that are proposed to remain.</p> <p>2 <b>Lastly, we must consider the nature</b></p> <p>3 <b>of the use. The temple provides a community</b></p> <p>4 <b>benefit, as it bolsters good character and</b></p> <p>5 <b>morals. In a straight use variance application,</b></p> <p>6 <b>the temple would be considered an inherently</b></p> <p>7 <b>beneficial use, satisfying positive criteria by</b></p> <p>8 <b>statute. Under the Municipal Land Use Law, the</b></p> <p>9 <b>temple advances the public good.</b></p> <p>10 <b>If I were to also justify these</b></p> <p>11 <b>variances for the setbacks in connection with a</b></p> <p>12 <b>c(1) -- c(1) criteria, which would be the</b></p> <p>13 <b>hardship criteria for a bulk standard, I would</b></p> <p>14 <b>state that these are existing conditions</b></p> <p>15 <b>associated with homes that are not proposed to</b></p> <p>16 <b>be changed or moved, and date back to the 1950s</b></p> <p>17 <b>and '60s, when, actually, zoning and planning</b></p> <p>18 <b>were gaining their momentum, and they've already</b></p> <p>19 <b>been incorporated into the fabric of the</b></p> <p>20 <b>neighborhood. And I would, again, argue that I</b></p> <p>21 <b>do not see any substantial detriment to their</b></p> <p>22 <b>continuance.</b></p> <p>23 <b>With respect to the waivers --</b></p> <p>24 <b>MR. WARNER: I'm sorry, before you</b></p> <p>25 <b>go to the waivers, if I may, with respect to the</b></p>	<p style="text-align: right;">139</p> <p>1 you're looking at cumulatively in the context of</p> <p>2 it being a conditional use?</p> <p>3 MS. EHLEN: Yes.</p> <p>4 MR. WARNER: Okay. Thank you.</p> <p>5 BY MR. COSTA:</p> <p>6 <b>Q. One other item. You indicated that</b></p> <p>7 <b>these are inherently beneficial uses, so -- or</b></p> <p>8 <b>this is an inherently beneficial use, so it</b></p> <p>9 <b>satisfies the positive criteria. Under Sica</b></p> <p>10 <b>versus Board of Adjustment of Wall, isn't it</b></p> <p>11 <b>also true that the negative criteria analysis</b></p> <p>12 <b>has changed to a balancing test, versus the</b></p> <p>13 <b>standard negative criteria test?</b></p> <p>14 <b>A. Yes, it is. So you balance the</b></p> <p>15 <b>positive and negative criteria, that's correct.</b></p> <p>16 <b>MR. WARNER: And take into</b></p> <p>17 <b>consideration the conditions stipulated to as</b></p> <p>18 <b>mitigating the magnitude of the detriments in the</b></p> <p>19 <b>Sica balancing?</b></p> <p>20 <b>MS. EHLEN: Yes, I would.</b></p> <p>21 <b>MR. COSTA: Correct.</b></p> <p>22 <b>A. All right. Then we're going to</b></p> <p>23 <b>discuss the waivers, they're up next.</b></p> <p>24 <b>The first one is no development</b></p> <p>25 <b>permitted within 50 feet of a flood hazard area,</b></p>
<p style="text-align: right;">138</p> <p>1 various bulk regulations that you've addressed,</p> <p>2 as to the FAR and also the d(3) conditional use</p> <p>3 variance, we're just addressing them also in the</p> <p>4 alternative as C variances. Correct?</p> <p>5 MS. EHLEN: C, yes.</p> <p>6 MR. WARNER: And you submitted that</p> <p>7 they would -- that the applicant has established</p> <p>8 the positive criteria for c(1) or undue hardship</p> <p>9 variance relief thereunder. Correct?</p> <p>10 MS. EHLEN: Correct.</p> <p>11 MR. WARNER: Would you also</p> <p>12 alternatively give the opinion that the applicant</p> <p>13 has established c(2) or flexible C variance</p> <p>14 relief, by way of the MLUL purposes being</p> <p>15 advanced, including those that you previously</p> <p>16 mentioned, as well as the benefits from the</p> <p>17 zoning and planning perspective substantially</p> <p>18 outweigh the detriments associated with the</p> <p>19 development project?</p> <p>20 MS. EHLEN: Yes, I would.</p> <p>21 MR. WARNER: Okay. So you're</p> <p>22 arguing both alternatively, c(1) and c(2),</p> <p>23 looking at all those bulk regulations in</p> <p>24 isolation, but you're also arguing the d(3), with</p> <p>25 respect to conditional use variance relief, when</p>	<p style="text-align: right;">140</p> <p>1 <b>we're same as proposed.</b></p> <p>2 <b>As was testified to by the site</b></p> <p>3 <b>engineer, the applicant respects the NJDEP</b></p> <p>4 <b>standards, but is requesting to intrude into the</b></p> <p>5 <b>township's specific standards, due to -- as was</b></p> <p>6 <b>stated by the attorney, the line is kind of</b></p> <p>7 <b>zigzaggy, so they've respected to it as much as</b></p> <p>8 <b>they can. They've also reduced the impact by</b></p> <p>9 <b>moving the trash compactor out of this area.</b></p> <p>10 <b>The bike racks, as I'd previously</b></p> <p>11 <b>mentioned, the clergy housing on site has been</b></p> <p>12 <b>provided bike racks. My assumption is that she</b></p> <p>13 <b>was referencing the single-family homes at this</b></p> <p>14 <b>point, in her review letter. That's all I can</b></p> <p>15 <b>assume.</b></p> <p>16 <b>MR. WARNER: So your position is,</b></p> <p>17 <b>assuming that the bike rack waiver is --</b></p> <p>18 <b>assuming, arguendo, it's necessary, it's your</b></p> <p>19 <b>understanding it's relative to the residential</b></p> <p>20 <b>structures on the new lots? Is that --</b></p> <p>21 <b>MS. EHLEN: That's what -- I can</b></p> <p>22 <b>double -- let me look back through, but it was --</b></p> <p>23 <b>MR. WARNER: Well, regardless, I</b></p> <p>24 <b>guess my question to you is, with respect to the</b></p> <p>25 <b>bike racks and all the exceptions sought, would</b></p>

1 be, is it your professional opinion that the  
2 strict regulation of those particular  
3 requirements would exact an undue hardship, or be  
4 extremely impractical for the applicant to abide  
5 by the strict regulation of those particular  
6 requirements?

7 MS. EHLEN: Yes, I would agree to  
8 that.

9 MR. COSTA: Anything further?

10 MS. EHLEN: Not at this time. Is  
11 there any questions that I can answer?

12 CHAIRMAN SWEENEY: Questions from  
13 the board?

14 Nope.

15 MR. WARNER: Oh, I'm sorry, I do  
16 have one.

17 You're done with your planning  
18 testimony?

19 MS. EHLEN: Yes.

20 MR. WARNER: Okay. And no board  
21 members have any questions?

22 Okay. The conditions that were  
23 requested -- you've been here throughout the  
24 course of the hearings?

25 MS. EHLEN: Yes, I have.

1 MR. WARNER: The conditions that  
2 were requested by the board, the vast majority --  
3 if, frankly, not all of which, perhaps -- were  
4 stipulated to by the applicant. Is it your  
5 testimony that -- is it your professional opinion  
6 that all of those conditions have a reasonable  
7 relation or logical nexus to the relief being  
8 sought by the applicant?

9 MS. EHLEN: I would say, in general,  
10 yes. We'd have to go condition by condition --

11 MR. WARNER: Is there any particular  
12 condition that you think does not have a  
13 reasonable relation or logical nexus to the  
14 detriments associated with the relief sought,  
15 such that they would mitigate, in some way --  
16 such that they would, excuse me, not mitigate, in  
17 some way, shape, or form, the detriments  
18 associated with the relief sought? Is there any  
19 condition that you believe doesn't -- isn't  
20 reasonable?

21 MS. EHLEN: Not at this time, but  
22 as -- if, at the end, we review each condition  
23 specifically, and we want to discuss any  
24 particular one, then, at that time, I would ask  
25 to review it.

1 MR. COSTA: I don't know why she  
2 would need to make an opinion on that.

3 MR. WARNER: Well, if they're all  
4 stipulated to, frankly, technically, they could  
5 be unreasonable.

6 MR. COSTA: Right.

7 MR. WARNER: But I think it might  
8 behoove everyone if the professional planner were  
9 of the opinion that all the stipulated to  
10 conditions were reasonable; have a logical nexus.  
11 But that's up to the planner.

12 MR. COSTA: I think -- yeah, the  
13 challenge with that is that we have very limited  
14 variances, and the variances, frankly, are  
15 related to the housing, and so the applicant has  
16 been accommodating, and as has the board, and  
17 we're trying to reach a solution, but I'm not  
18 sure that we can legally -- or from a planning  
19 perspective, tie those every single condition  
20 we're agreeing to, to the variances caused by the  
21 housing.

22 MR. WARNER: If I could ask --  
23 modify the question: Is it your opinion that any  
24 of the conditions stipulated to by or on behalf  
25 of the applicant were unreasonable?

1 MS. EHLEN: Again, I would like to  
2 reserve the right, as we go through all the  
3 conditions at the end -- although I was here  
4 throughout the hearings, there were a number of  
5 conditions throughout all the hearings, and I  
6 would like to see a summary of them before I  
7 stipulate to anything.

8 MR. WARNER: You wouldn't be  
9 stipulating; you'd be rendering an opinion.

10 MS. EHLEN: Yes, before I render an  
11 opinion.

12 MR. WARNER: Nothing further.

13 CHAIRMAN SWEENEY: Okay. No  
14 questions from the board.

15 Does anyone in the audience have a  
16 question for this witness based on her testimony?

17 No response.

18 Please continue.

19 MR. COSTA: Okay. Thank you.

20 MS. EHLEN: Thank you.

21 MR. COSTA: All right. That  
22 concludes our testimony, unless the board has any  
23 other questions, I'd like to -- like to conclude.

24 CHAIRMAN SWEENEY: That's fine.  
25 Do you expect us to vote on this

1 tonight? Quite frankly, I think there's a couple  
2 of issues outstanding that have to be resolved  
3 first --  
4 MR. COSTA: Okay.  
5 CHAIRMAN SWEENEY: -- one of which  
6 is the fire marshal's response to planning what  
7 you're planning. I think that absolutely has to  
8 happen before we can vote on it. We're not going  
9 to vote without knowing where he stands on your  
10 application.

11 The issues around parking, I think  
12 we can deal with it -- if, in fact, your  
13 application is approved -- with just conditioning  
14 those analyses and additional work that needs to  
15 be done on the parking matter.

16 I mean, if you want to sum up now  
17 anyway, that's fine.

18 MR. WARNER: Or, Mr. Chairman, if I  
19 understand correctly, you're asking him that, if  
20 we're not going to vote this evening, does he  
21 wish to sum up now, as opposed to next time?

22 CHAIRMAN SWEENEY: That's right.

23 MR. COSTA: I think I would sum up  
24 when we're voting, makes more sense to do that.

25 CHAIRMAN SWEENEY: Works for me.

1 Works for us.

2 MR. WARNER: Just for clarification  
3 purposes, though, if we are -- are we also  
4 opening and closing for public comment now, and  
5 if so, then, are we confirming that the hearing  
6 is closed, and there will be no further testimony  
7 from anyone, including the public?

8 CHAIRMAN SWEENEY: There will be  
9 further testimony, at least from Mr. Nagrani, as  
10 relates to the fire marshal.

11 MR. WARNER: So, therefore, then, if  
12 my understanding is correct, then, after that  
13 testimony is when we would have a final call for  
14 any -- if you have no further witnesses,  
15 Mr. Costa, you would have a final call for any  
16 public comment. Correct?

17 CHAIRMAN SWEENEY: That makes sense.

18 MR. COSTA: Okay. Is there any  
19 other of the conditions that we would need to  
20 address prior to the next hearing?

21 CHAIRMAN SWEENEY: I think the only  
22 other one that I can think of is how you're going  
23 to respond to another moratorium on this.

24 MR. COSTA: Okay. I got that.

25 CHAIRMAN SWEENEY: All right?

1 MR. COSTA: Okay. Anything else?

2 CHAIRMAN SWEENEY: No. And I -- you  
3 know, going back, again, to the -- the additional  
4 thought, and work, and analysis, as far as  
5 traffic is concerned, I don't -- I don't expect  
6 that's going to be completed before we vote on  
7 this, but I would like to hear back how you're  
8 going to proceed on that. Who are you going to  
9 talk to? What kinds of things are you going to  
10 think about? That would certainly help us reach  
11 a better mental feel for what you're going to do.

12 MR. COSTA: Okay. We can do that.

13 CHAIRMAN SWEENEY: So we talk, then,  
14 about when you're going to return.

15 MR. COSTA: Yes.

16 CHAIRMAN SWEENEY: We have a meeting  
17 scheduled for May 7 and May 21. And, Jackie, I  
18 see nothing on the calendar at this point.

19 THE SECRETARY: There is nothing.

20 CHAIRMAN SWEENEY: And if you want  
21 to do it later than that, I think June is wide  
22 open as well, which would be the 4th and the  
23 18th. We don't have a planning -- or zoning  
24 board meeting noted on June 4th. Is there a  
25 reason for that?

1 THE SECRETARY: That's the election.

2 MR. WARNER: If I can ask one other  
3 related question: Do we have a reasonable  
4 expectation of there being an application on to  
5 be heard other than this application, on either  
6 May 7th or 21st?

7 THE SECRETARY: Not to my knowledge.

8 MR. WARNER: In other words, there's  
9 nothing in the pipeline that's about ready to  
10 pop, so to speak?

11 THE SECRETARY: Yeah, I would ask  
12 Scarlett, but she's not here. But not to my  
13 knowledge.

14 MR. WARNER: As far as you know.

15 THE SECRETARY: Yeah.

16 MR. COSTA: May 7th would be our  
17 preference.

18 CHAIRMAN SWEENEY: So we will  
19 continue on May 7th at 7:30 --

20 MR. WARNER: Also, Mr. Chairman,  
21 hold on, because I'm being handed something right  
22 now -- oh, extension of time to act. They do  
23 have an extension of time to act in writing, we  
24 got it on the record last time, we got it in  
25 writing recently through the end of April. So

1 thank you, Jackie, I think we'll need one a  
2 little further.

3 MR. COSTA: Yes, I will provide  
4 that. On the record, I'll provide it, we'll  
5 extend to the end of May, and I'll provide it in  
6 writing too.

7 MR. WARNER: Thank you.

8 CHAIRMAN SWEENEY: Thank you very  
9 much.

10 THE SECRETARY: So confirming that  
11 the meeting will be on May 7th for Hindu temple.  
12 Correct?

13 MR. WARNER: Right. For purposes of  
14 all the public that is here, we're announcing  
15 that it's carried without further notice to May  
16 7th, 7:30 p.m., this same location.

17 CHAIRMAN SWEENEY: And, again, I  
18 just want to thank the Temple Society for working  
19 with us tonight. Thank you.

20 MR. COSTA: Thank you.

21 (Whereupon, the hearing concluded at  
22 10:12 p.m.)

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24

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1 C E R T I F I C A T E

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5 I, Michael Lombardozzi, a Notary  
6 Public and Certified Court Reporter of the State  
7 of New Jersey, do hereby certify that the  
8 foregoing is a true and accurate transcript of  
9 the testimony as taken stenographically by and  
10 before me at the time, place, and on the date  
11 hereinbefore set forth.

12 I do further certify that I am  
13 neither a relative nor employee nor attorney nor  
14 counsel of any of the parties to this action, and  
15 that I am neither a relative nor employee of such  
16 attorney or counsel and that I am not financially  
17 interested in this action.

18

19

20 Michael Lombardozzi,  
21 Certified Court Reporter, State of New Jersey  
22 CERT #: 30X100239700  
Date: 2019-04-28

23

24

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